

**CECIL COUNTY  
REPUBLICAN CENTRAL COMMITTEE**

**CONSTITUTION &  
BYLAWS**

*Revised and Adopted in Committee  
May 23, 2016*

# **C**ONSTITUTION OF THE **CECIL COUNTY REPUBLICAN CENTRAL COMMITTEE**

---

## **PREAMBLE**

Acknowledging dependence upon our Creator God for our very lives and the provisions we have received by His Grace alone, we do humbly bow before the King, seeking His blessings of liberty upon His people for His Glory. Hence, and through the authority of The Republican Party of Maryland, we do hereby constitute this organization.

## **ARTICLE I**

### **POLITICAL COMMITTEE NAME**

The name of this organization shall be the "Cecil County Republican Central Committee," hereinafter referred to as the "Committee."

## **ARTICLE II**

### **PURPOSE OF THE COMMITTEE**

#### Section 1

- A. The purpose of the Committee is to secure honest and responsible government in Cecil County, founded on our belief in the worth, dignity and rights of every person.
- 1) In pursuit of this purpose, the Committee shall:
    - a) work for the election of duly nominated Republican candidates;
    - b) promote the principles and platform of the Republican Party;
    - c) organize an effective political organization;
    - d) cooperate with the Republican National Committee and The Republican Party of Maryland; and
    - e) engage in fund-raising to support its activities.

## **ARTICLE III**

### **AUTHORITY OF THE COMMITTEE**

The Committee shall maintain all authority reserved to it by Maryland Election Law and conferred by the Constitution and Bylaws of The Republican Party of Maryland, including the power to conduct all affairs of the Committee.

## **ARTICLE IV**

### **PARTY GOVERNING BODY**

The State Central Committee of the Republican Party of Maryland, hereinafter referred to as the "Party" is the governing body of the Party and shall be responsible for conducting all Party business. Qualifications and duties of its officers, procedures concerning the times and places of meetings and rules and procedures for governance of the Party and its officers are set forth in the Bylaws of the Party.

## **ARTICLE V**

### **PARTY MEMBERSHIP IN CECIL COUNTY**

Membership in the Party shall consist of all persons who are registered voters in Cecil County under the laws of the State of Maryland who have declared their affiliation with the Republican Party proper.

## **ARTICLE VI**

### **QUADRENNIAL ELECTION**

#### Section 1

- A. The Party shall use the statewide primary election in the year in which the Governor is elected, to elect the members of the Committee. [EL §8-202(a)(1)(ii)]
- B. Party membership, in accordance with Article V of this Constitution, shall be the requirement of every candidate for, and member of, the Committee. The Committee member shall maintain all aspects of Party membership throughout the term in office. [EL §5-203(a)(2)(i)]
- C. The Committee shall be comprised of nine (9) members. [RPMd. Art. IV, §2(c)(2)]
- D. The term of office for each elected committee member shall be four (4) years, commencing on the fourteenth (14th) day following the general election. [EL §4-202(f)(2)]

## **ARTICLE VII**

### **OATH OF OFFICE**

#### Section 1: Requisite

Subsequent to their election or appointment, and prior to assuming their official duties, all members of the Committee, and all officers of the Party, must take and subscribe the following oath, or affirmation: [RPMd. Art. XI, §1,2]

#### Section 2: Oath

I, \_\_\_\_\_, do swear, (or affirm, as the case may be,) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of \_\_\_\_\_, according to the Constitution and Laws of this State. [MD Const. Art. I, §9]

#### Section 3: Terms

- A. Upon taking the oath, the individual shall affix his/her signature to an official copy of the oath along with that of two witnesses.
  - 1) The official copy of the oath shall be filed and recorded with the records of the Party.
- B. Every person, hereafter elected, or appointed, to office, who shall refuse, or neglect, to take the oath, or affirmation of office, shall be considered as having refused to accept said office; and a new election, or appointment, shall be made, as in case of refusal to accept, or resignation of an office; and any person violating said oath, shall be thereafter incapable of holding any office of the Committee. [MD Const. Art. I, §11]
- C. A person is ineligible to enter upon the duties of, or to continue to serve in, any office created by or pursuant to the provisions of this Constitution or Bylaws if the person was not a registered voter in the State of Maryland affiliated with the Republican Party on the date of the person's election or appointment to that term or if, at any time thereafter and prior to completion of the term, the person ceases to be a registered voter affiliated with the Republican Party or no longer maintains residence in Cecil County. [MD Const. Art. I, §12]

# ARTICLE VIII

## AMENDMENTS

### Section 1: Provisions

- A. This Constitution may be amended at any regularly scheduled monthly meeting by a three-fourths (3/4) majority vote of the Committee in attendance at said meeting.
- B. Any member of the Committee may introduce a proposal to amend this Constitution. The committee shall accept an amendment proposal from a member of the Party, as defined in Art. V of this Constitution, only if accompanied by a written attestation of sponsorship from a Committee member.

### Section 2: Procedures

- A. The draft amendment(s) shall be introduced at a regularly scheduled monthly meeting and read into the minutes. Such proposal shall be submitted to the Committee Secretary at least five (5) days in advance of any such meeting. Copies of the draft amendment(s) shall be delivered to each member in person, or by email at least two (2) days prior to the meeting.
- B. The draft amendment(s) may be subject to committee amendment and shall receive a consideration of the committee on a second reading at the next regularly scheduled monthly meeting following its introduction. A vote in the affirmative shall move the draft amendment(s) forward for a vote on its third and final reading.
- C. The third and final reading shall take place at the next regularly scheduled monthly meeting that is not less than sixty (60) days from its date of introduction and first reading.

### Section 3: Notification

- A. Notice of the draft amendment(s) to this Constitution and its (their) current status shall be included in any meeting notice.
- B. Draft amendment(s) shall be published on the official Committee website, or in a county newspaper of general circulation, following its introduction and updated to reflect committee changes. Electronic and photo-copies may be provided to the public upon request.

### Section 4: Effective Date

Any revisions to this Constitution shall become in full force and effect thirty (30) days following final passage of any such amendments.

### Section 5: Filing

- A. Within thirty (30) days of amending this Constitution, the Secretary shall file a complete copy of the revised Constitution with the following interested parties: [EL §4-204(d)(2)]
  - 1) The State Central Committee of The Republican Party of Maryland
  - 2) The Maryland State Board of Elections
  - 3) The Cecil County Board of Elections

# **B**YLAWS OF THE **CECIL COUNTY REPUBLICAN CENTRAL COMMITTEE**

---

## **ARTICLE I**

### **PRECEDENCE OF CONSTITUTION**

The Constitution of the Cecil County Republican Central Committee establishes the name, purpose and general membership requirements of this organization. The Constitution shall assume precedence over these Bylaws where there may be any conflict. The Cecil County Republican Central Committee may hereinafter be referred to as the "Committee."

## **ARTICLE II**

### **POLICY**

All applicable provisions of the Constitution and Bylaws of The Republican Party of Maryland or the Election Laws of Maryland shall be part of these Bylaws.

## **ARTICLE III**

### **COUNTY CENTRAL COMMITTEE**

#### Section 1: Qualifications

- A. All members of the Committee shall be members of the Party in accordance with the provisions of Article V of the Committee's Constitution.
- B. Each of the members of the Committee shall be:
  - 1) a bono fide resident of Cecil County
  - 2) a registered voter in Cecil County
  - 3) having declared an affiliation as "Republican,"
  - 4) maintaining such throughout the term of office.

#### Section 2: State Central Committee Membership

- A. All members of the Committee shall be members of the State Central Committee of The Republican Party of Maryland.
  - 1) Committee members are strongly encouraged to be in attendance at the semiannual State Conventions of The Republican Party of Maryland.
  - 2) Consecutive failures in convention attendance may lead to removal from the Committee as provided for on Section 3(B) of this Article.

### Section 3: Removal

- A. A member who fails to appear at three (3) consecutive regularly scheduled meetings of the Committee occurring over a period in excess of sixty (60) days may be removed by a two-thirds (2/3) vote of the members present and voting at the next regularly scheduled meeting.
  - 1) Prior notice to the member shall be given of the possibility of this action.
  - 2) Such action shall be effective immediately.
  - 3) The removal of any Committee member shall create an immediate vacancy.
  - 4) Written notification of any action by the Committee shall be given within three (3) days of said action.
- B. A member who fails to appear in person or by proxy at three (3) consecutive semiannual State Conventions may be removed by a two-thirds (2/3) vote of the members present and voting at the next regularly scheduled meeting.
  - 1) Prior notice to the member shall be given of the possibility of this action.
  - 2) Written notification of any action by the Committee shall be given within seven (7) days of said action.

### Section 3: Resignations

- A. A member of the Committee may resign from the Committee at any time.
  - 1) Resignations shall be in writing, signed and dated and delivered to the Secretary. Unless otherwise provided by the resigning Committee member, all resignations shall be effective upon acceptance by the Committee.
- B. A member of the Committee, elected or appointed, who ceases to reside in Cecil County shall be considered to have resigned. [EL §4-202(c)(2)(i), (d)(2)]
- C. A member of the Committee, elected or appointed, who changes party affiliation away from 'Republican' shall be considered to have resigned. [EL §5-203(a)(2)(i)]
- D. Resignations, as provided for in subsections B and C of this paragraph, shall be self-executing and effective immediately.

### Section 4: Vacancies

- A. Unless otherwise provided by the Election Laws of Maryland, a vacancy on the Committee shall be by the appointment of the remaining members of the Committee, electing a replacement member.
- B. Candidates for such appointment must meet all qualifications of the Committee as set forth in Section 1 of this Article.
- C. Those serving by appointment shall serve for the time remaining in the election cycle.

## **ARTICLE IV**

### **EXECUTIVE COMMITTEE**

#### Section 1: Committee Offices

There shall be four (4) offices of the Committee: Chair, Vice Chair, Secretary and Treasurer. These four offices shall be known as the Executive Board.

#### Section 2: Election of Officers

- A. Officers shall be elected for two-year terms by the Committee in the following manner:
  - 1) Term 1: In the year in which the Governor is elected, an organizational meeting of the members of the newly-elected Committee shall be convened to elect the officers of the committee.

- a) The organizational meeting shall be held no sooner than five (5) days, nor later than fourteen (14) days following the General Election.
- b) The Committee Chair Pro Tempore shall call the meeting and preside at this first meeting of the committee-elect. A minimum five (5) day notice is required to all members-elect of the committee.
- c) The appointment of the Chair Pro Tempore is self-executing and shall be determined by one of the following criteria:
  - i) Except as provided for in paragraph (ii) of this subsection, the newly-elected member having received the highest number of votes in the election referenced in Article VI, Section 1(A) of the Party's Constitution
  - ii) The member whose name comes first in alphabetical order (Last, First, Middle)
    - (a) If there was a tie for the highest number of votes, or
    - (b) If the person receiving the highest number of votes declines, or otherwise fails to accept and execute the duties of the Chair Pro Tempore.
- 2) Term 2: In the year in which the President is elected, the Committee shall elect officers at the first regularly scheduled meeting following the General Election. The Chairman Pro Tempore shall preside over the election of the new officers.
  - a) The newly elected chairman shall call the next regular meeting of the Committee to be held within forty-five (45) days of the election. The term of the new officers shall commence at the next regular meeting.
- B. The election of officers shall be by secret ballot and tabulated by the Chair Pro Tempore and two randomly selected Committee members.
  - 1) In the event of a tie, there shall be a second ballot between the tied candidates.

### Section 3: Duties

- A. Chairman
  - 1) The Chairman shall have general supervision over the affairs, activities and employees of the Committee and its subcommittees.
  - 2) The Chairman shall issue the call and preside at all meetings of the Committee.
  - 3) The Chairman shall prepare and submit a report to the Committee of official meetings of The Republican Party of Maryland and the Republican National Committee.
  - 4) The Chairman shall observe and enforce the bylaws and policies of the Party, and of the Committee.
  - 5) The Chairman shall make all nominations to any subcommittee.
  - 6) The Chairman shall serve as an ex-officio member on all subcommittees.
  - 7) The Chairman shall act as necessary to promote the functions of the Party.
  - 8) The Chairman shall serve as the Chairman of the political committee for purposes of State of Maryland campaign finance reporting.
  - 9) The Chairman shall perform other such duties as are required by law or as usually pertain to the office of Committee Chair.
- B. Vice-Chairman
  - 1) The Vice-Chairman shall serve as the chairman pro tempore of the Committee, presiding in rank order at all meetings of the Committee and the Executive Board in the absence of the Chairman, or when otherwise directed in these Bylaws.
  - 2) The Vice-Chairman shall perform the duties designated by the Chairman.
  - 3) The Vice-Chairman may serve as the chair-designate ex officio member on any committee.
- C. Secretary
  - 1) The Secretary shall be the chief clerical officer of the Party.

- 2) The Secretary shall record all the proceedings of the Committee, keeping complete and accurate minutes of all meetings which shall be the property of the Committee.
  - 3) The Secretary shall be responsible for sending all official notices and reports as required by law or these Bylaws.
  - 4) The Secretary shall perform such other duties as the Chairman may prescribe.
- D. Treasurer
- 1) The Treasurer shall be responsible for the receipt and disbursement of all moneys by and for the Committee and shall maintain the accounts of the Committee.
  - 2) The Treasurer shall submit a written report of the activities of the office to the Committee at its regular meetings, and shall render to the Committee periodic reports of income and expenditures.
  - 3) The Treasurer shall be the custodian of the financial records of the Committee.
  - 4) The Treasurer shall serve as the Treasurer of the political committee for purposes of State of Maryland campaign finance reporting.
  - 5) The Treasurer shall be responsible for fulfilling federal, state and local financial disclosure requirements as applicable.
  - 6) The Treasurer may be bonded in an amount to be determined by the Committee, the cost of said bond being paid by the Committee.
  - 7) The Treasurer shall perform such other duties as the Chairman may prescribe.

Section 4: Removal from Office

- A. The Committee may remove any officer from the Executive Board by a two-thirds (2/3) of the members present and voting at the next regularly scheduled meeting.
- B. At its discretion, the Committee may remove an officer who has failed to attend two (2) consecutive regularly scheduled meetings, or has failed to maintain active communication with the other members of the Executive Board for three (3) consecutive months.
  - 1) Written notice of the intent to seek removal shall be submitted to the Secretary at least twenty (20) days in advance of any such meeting, and a report of such proposal to be included in any such meeting notice.
- C. Such action shall be effective immediately.
- D. The removal of any officer shall create an immediate vacancy.

Section 5: Vacancies

- A. A vacancy in the office of Chair shall be filled by the Vice-Chairman who shall serve as Acting Chairman until the next regularly scheduled meeting, when the Committee shall elect a new Chairman to serve out the remaining unexpired term of the vacating Chairman.
- A. A vacancy in the office of the Vice-Chair may be filled on an interim basis by appointment of the Chairman until the next regularly scheduled meeting, when the Committee shall elect a new Vice-Chairman to serve out the remaining unexpired term of the vacating Vice-Chairman.
- B. A vacancy in the office of Secretary may be filled on an interim basis by appointment of the Chairman until the next regularly scheduled meeting, when the Committee shall elect a new Secretary to serve out the remaining unexpired term of the vacating Secretary.
- C. A vacancy in the office of Treasurer shall be filled on an interim basis by appointment of the Chairman until the next regularly scheduled meeting, when the Committee shall elect a new Treasurer to serve out the remaining unexpired term of the vacating Treasurer.
- D. If the offices of Chair and Vice-Chair become vacant concurrently, a special meeting of the Committee shall be called by the Secretary to choose successors. In that event, five (5) days notice will be sufficient to call a meeting of the Committee.
- E. An office may also be declared vacant by resignation, removal from the Board or the Committee, mental or physical incapacitation or death of the officer.



# ARTICLE V

## MEETINGS

### Section 1: Classification

- A. Meetings shall be at the call of the Chairman, or a majority of the Committee.
  - 1) 'Regular Meetings' of the Committee shall be held at least four (4) times per year.
  - 2) 'Special Meetings' of the Committee may be called:
    - a) at the pleasure the Chairman, or
    - b) by written request to the Chairman, signed by a simple majority of the Committee members.
      - i) The Chairman shall respond by calling for said meeting.

### Section 2: Notice

- A. Notice of any meeting shall not be less than ten (10) days.
  - 1) Notice requirements may be waived only by unanimous consent of the Committee.
- B. Such notice shall state the date, time, place and purpose for the meeting.
- C. Written notice shall be considered delivered when sent by electronic mail, or deposited in U.S. mail, postage prepaid, to the applicable address of record last on file with the Secretary of the Committee.
- D. The meeting agenda shall be made available to all Committee members no later than forty-eight (48) hours before the start of the meeting.

### Section 3: Quorum

- A. A simple majority of the Committee members shall constitute a quorum of the Committee at any of its meetings.

### Section 4: Voting

- A. Each Committee member shall have one whole vote.
- B. Except as provided for in Article IV, Section 2(B)(1) of these Bylaws, votes that end in equal numbers shall be decided by the Chairman.
- C. Except as provided for in Article IV, Section 2(B) of these Bylaws, voting shall be by voice.
- D. Unless exclusively provided for, proxies shall not be permitted.

### Section 5: Rules of Procedure

- A. The current edition of Robert's Rules of Order, Newly Revised shall govern all meetings of the Committee when not inconsistent with any rules of procedure adopted by the Committee, the provisions of this Constitution and Bylaws, or the Constitution and Laws of Maryland.

# ARTICLE VI

## SUBCOMMITTEES

### Section 1: Membership

- A. Membership is open to all members of the Party in accordance with Article IV of the Party's Constitution.
- B. Membership is by appointment of the Committee. Candidates must be nominated by the Chairman, subject to confirmation by a simple majority of the Committee.
- C. Members serve at the pleasure of the Committee and may be removed, with or without cause, at any time by a simple majority of the Committee.
- D. Any appointment made, unless otherwise noted, shall expire upon the conclusion of the appointing Committee's term of office.
- E. All subcommittees must, at all times, have a minimum five (5) members.

Section 2: Officers and Duties

- A. All subcommittees shall have a Coordinator and a Recording Secretary.
- B. The Coordinator shall provide regular reports to the Committee on the activities of the subcommittee.

Section 2: Meetings

- A. Quorum
  - 1) A simple majority of the subcommittee members shall constitute a quorum at any of its meetings.
  - 2) Ex officio members shall not be used to determine presence of a quorum.

Section 3: Standing Subcommittees

- A. The following shall be the Standing Subcommittees:
  - 1) Reserved

Section 4: Ad Hoc Subcommittees

- A. These subcommittees may be created at any time as an act of the Committee.

**ARTICLE VII**

**NOMINATIONS TO COUNTY AND STATE BOARDS OR COMMISSIONS**

Section 1: Procedures

- A. Upon receipt of the request from a State or county appointing authority for nominees to serve on a board or commission, the Committee shall, within three (3) days, cause a notice seeking interested persons to be published in a county newspaper of general circulation.
  - 1) The notice shall:
    - a) allow a minimum of ten (10) days to respond with any required application materials.
    - b) contain a complete list of the items required for application, the methods for submittal including a deadline date and time.
    - c) provide the date, time and place of the Committee meeting at which the nomination(s) for appointment will be considered.
- B. To provide a nomination for appointment of a person(s) for service on a State or County board or commission, or any additional provisions of the Laws of Maryland or of Cecil County, the Chairman shall call a meeting of the Committee. Notice of such meeting shall be in accordance with the provisions of Art. V, Sec. 2(A) of these Bylaws.
  - 1) The Committee shall allow any bona fide applicant an opportunity to speak on behalf of his/her candidacy and to answer any questions of the Committee.
- C. A simple majority vote of the Committee members present and voting will be necessary and sufficient to provide a nomination(s) to the requesting appointment authority.

**ARTICLE VIII**

**FILLING VACANCIES FOR PUBLIC OFFICE**

Section 1: Procedures – In General

- A. Except those vacancies under §§ 2, 3 of this Article, upon receipt of any notice of a vacancy in public office, the Committee shall, within three (3) days, cause a notice seeking interested persons to be published in a county newspaper of general circulation.
  - 2) The notice shall:
    - a) allow a minimum of ten (10) days to respond with any required application materials.

- b) contain a complete list of the items required for application, the methods for submittal including a deadline date and time.
- c) provide the date, time and place of the Committee meeting at which the nomination(s) for appointment will be considered.
- B. To provide a nomination for appointment of a person(s) to fill a vacancy in a public office, or any additional provisions of the Laws of Maryland or of Cecil County, the Chairman shall call a meeting of the Committee. Notice of such meeting shall be in accordance with the provisions of Art. V, Sec. 2(A) of these Bylaws.
  - 1) The Committee shall allow any bona fide applicant an opportunity to speak on behalf of his/her candidacy and to answer any questions of the Committee.
- C. A simple majority vote of the Committee members present and voting will be necessary and sufficient to provide a nomination(s) to the appointing authority.

Section 2: Vacancy on the Primary Ballot

- A. As prescribed by §5-901 of Maryland's Election Law Article, the Committee may designate a candidate for an office on the primary ballot in which no candidate has filed, or the candidate(s) previously filed have withdrawn and thereby leave the office vacant on the ballot.
  - 1) The Committee has exclusive jurisdiction to fill a primary ballot vacancy for an office entirely within the boundaries of Cecil County.
  - 2) The Committee has proportionally-weighted, shared jurisdiction with neighboring County Central Committee(s) to fill a primary ballot vacancy for an office with district lines crossing into the neighboring county(ies).

Section 3: Vacancy following a Nomination

- A. As prescribed by §5-1003, 1004 of Maryland's Election Law Article, the Committee may fill a vacant nomination if the nominated candidate dies, declines the nomination, becomes disqualified, or gains a tie vote with another candidate in the primary election.
  - 1) The Committee has exclusive jurisdiction to fill a nomination vacancy for an office entirely within the boundaries of Cecil County.
  - 2) The Committee has proportionally-weighted, shared jurisdiction with neighboring County Central Committee(s) to fill a nomination vacancy for an office with district lines crossing into those neighboring counties.

Section 4: Vacancy of Republican-affiliated Elected Officials

- A. Cecil County Council
  - 1) As prescribed by Article 2, Section 209(c) of the Charter of Cecil County, Maryland, the Committee may submit a list of three (3) names to the Council to fill a vacancy on the Council in the case of death, resignation from office, or disqualification from holding office.
    - a) The Committee has exclusive jurisdiction to submit a list of three (3) names to the Council to fill a vacancy on the Cecil County Council.
- B. Cecil County Executive
  - 1) As prescribed by Article 4, Section 407 of the Charter of Cecil County, Maryland, the Committee may submit a name to the Cecil County Council as a nomination to fill a vacancy in the office of County Executive in the case of death or resignation, or upon a forfeiture of office.
    - a) The Committee has exclusive jurisdiction submit a name to the Cecil County Council as a nomination to fill a vacancy in the office of County Executive.

C. Members of the General Assembly

- 1) As prescribed by Article III, Section 13 of Maryland's Constitution, the Committee may submit a name, or multiple names, to the Governor to fill a vacancy in the General Assembly in the case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county for which a Delegate or Senator shall have been elected.
  - a) The Committee has exclusive jurisdiction to submit a name to the Governor to fill a vacancy in the General Assembly where the district is entirely within the boundaries of Cecil County.
    - i) The Committee has adopted certain methods and procedures detailing this process affecting a vacancy in Maryland Legislative District 35A in Appendix 2 to these Bylaws and shall be considered incorporated by reference.
  - b) The Committee has shared jurisdiction and may submit a name, or multiple names, of a resident(s) of the district to the Governor to fill a vacancy in the General Assembly where the district lines comprise all or a portion of a Cecil County and all or a portion of a neighboring county.
    - i) The Committee has adopted certain methods and procedures detailing this process affecting a vacancy in Maryland Legislative District 35B and Senatorial District 35 in Section 11 of Appendix 2 to these Bylaws and shall be considered incorporated by reference.
    - ii) The Committee has adopted certain methods and procedures detailing this process affecting a vacancy in Maryland Legislative District 36 in Appendix 1 to these Bylaws and shall be considered incorporated by reference.

## ARTICLE IX

### CARRYOVER BALANCE

#### Section 1: Determination of Amount

- A. Upon the transfer of power to the newly-elected Committee, the outgoing Committee shall transfer a cash-balance to cover no less than four (4) months of Committee expenses.
  - 1) The four (4) months of expenses shall be December 1-March 31.
  - 2) Each four-month report shall be considered one (1) unit.
  - 3) For this computation, the lookback period shall be the immediate past five (5) years.
  - 4) The amount to be transferred to the incoming Committee shall be the four-month unit determined to be the mathematical median of the immediate past five (5) years' Committee expenses during said months.

#### Section 2: Required Reports

- A. The Treasurer shall prepare an annual report to the Committee reflecting expenses of the just-concluded four-month unit.
  - 1) The report shall be submitted to the Committee no later than May 31.
- B. In the year in which the Governor is elected, the Treasurer shall prepare a quadrennial report reflecting the immediate past five (5) years of four-month unit expenses, the determined mathematical median unit, and the concluding amount to be transferred to the incoming Committee.
  - 1) The report shall be submitted to the Committee no later than the Monday that is before the last Tuesday in June.

## **ARTICLE X**

### **FISCAL YEAR**

The Fiscal Year shall follow the calendar year: commencing January 1 and concluding December 31 of that same year.

## **ARTICLE XI**

### **USE OF NAME**

- A. No individual, group of individuals or organization may use the name, address or emblem of the Party or the Committee, in any manner, without the expressed written consent of the Chairman.
- B. No individual, group of individuals or organization may use any internet domain name, web address or redirect for the purpose of misrepresentation or deception.

## **ARTICLE XII**

### **RULES**

- A. The Committee may, from time to time, adopt certain methods and procedures for the purpose of facilitating the formation and execution of the provisions set forth in the Constitution and these Bylaws.
- B. Adoption of Committee methods and procedures shall be by a simple majority vote.
- C. Codification of adopted methods and procedures shall be incorporated by reference as Appendices to these Bylaws.

## **ARTICLE XIII**

### **AMENDMENTS**

#### Section 1: Provisions

- A. These Bylaws may be amended at any regularly scheduled monthly meeting by a two-thirds (2/3) majority vote of the Committee in attendance at said meeting.
- B. Any member of the Committee may introduce a proposal to amend these Bylaws. The committee shall accept an amendment proposal from a member of the Party if accompanied by written attestation of sponsorship by a Committee member.

#### Section 2: Procedures

- A. The draft amendment(s) shall be introduced at a regularly scheduled monthly meeting and read into the minutes. Such proposal shall be submitted to the Committee Secretary at least five (5) days in advance of any such meeting. Copies of the draft amendment(s) shall delivered to each member in person, or by email at least two (2) days prior to the meeting.
- B. The draft amendment(s) may be subject to committee amendment and shall receive a consideration of the committee on a second reading at the next regularly scheduled monthly meeting following its introduction. A vote in the affirmative shall move the draft amendment(s) forward for a vote on its third and final reading.
- C. The third and final reading shall take place at the next regularly scheduled monthly meeting that is not less than sixty (60) days from its date of introduction and first reading.

#### Section 3: Notification

- A. Notice of the draft amendment(s) to these Bylaws and its (their) current status shall be included in any meeting notice.

- B. Draft amendment(s) shall be published on the official Committee website, or in a county newspaper of general circulation, following its introduction and updated to reflect committee changes. Electronic and photocopies may be provided to the public upon request.

Section 4: Effective Date

Any revisions to these Bylaws shall become in full force and effect thirty (30) days following final passage of any such amendments.

Section 5: Filing

- B. Within thirty (30) days of amending these Bylaws, the Secretary shall file a complete copy of the revised Bylaws with the following interested parties: [EL §4-204(d)(2)]
- 4) The State Central Committee of The Republican Party of Maryland
  - 5) The Maryland State Board of Elections
  - 6) The Cecil County Board of Elections

## **Procedure for Filling Vacancy in Legislative District 36**

*This procedure emerged as a cooperative agreement between representatives of three of the four county central committees comprising the 36<sup>th</sup> Legislative District. This agreement made the 26<sup>th</sup> day of November, 2015 between the central committees of Cecil, Kent and Queen Anne's counties was ratified by the Cecil County Republican Central Committee on the 23<sup>rd</sup> day of May, 2016 and incorporated by reference into the Bylaws of said committee.*

### **Section 1. Purpose of Article**

This Article pertains to the recommended uniform process for filling vacancies in a multi-county legislative district. While each county has one vote and retains the right to utilize its own process, the counties shall work collaboratively when possible, using the guidelines prescribed in this Article. Where there is any discrepancy between this Article and related application materials, this Article will prevail. (See Addendum A - Uniform Policy on Filling Vacancies - Timeline, and Addendum B - Instructions for Applicants for Nomination for a Republican Office in Maryland Legislative District 36.)

### **Section 2. Authorities**

According to the Constitution of the State of Maryland, Article III, Section 13, in case of a vacancy by any person who shall have been chosen as a Delegate or Senator, from a state legislative district comprising a portion or all of two or more counties, the respective partisan central committee of each county involved shall have one vote for submitting the name of a resident of the district, for nomination to the Governor, within thirty days after the occurrence of the vacancy; and if there is a tie vote between or among the central committees, the list of names there proposed shall be submitted to the Governor, and he shall make the appointment from the list.

### **Section 3. Central Committee Caucus**

- A. Within three (3) days of the occurrence of a Republican vacancy in a multi-county legislative district, the chairpersons of the republican central committees for each county involved, shall convene a temporary caucus of the central committees, for the purpose of nominating to the Governor, within thirty (30) days of the occurrence of a legislative vacancy, an individual from within the district, to fill the vacancy. This Central Committee Caucus shall consist ONLY of the current voting members of the involved county republican central committees.
- B. Upon creation of the Central Committee Caucus, the participating county committee chairpersons, shall select a Joint Chair and Joint Recording Secretary, and assign tasks.
- C. The temporary Central Committee Caucus shall automatically dissolve following the Governor's appointment, unless an extension thereof is otherwise provided by the participating chairpersons.

#### Section 4. Public Notice and Call for Applications

- A. Within five (5) days of the occurrence of a vacancy, the Central Committee Caucus shall cause a uniform public notice of the vacancy and call for applications by the following means:
  - 1) direct notice to all sitting Republican elected officials within the District,
  - 2) notice to all operational Republican organizations registered within the District, and
  - 3) notice to any local print media outlets of significant circulation.
- B. Participating county central committees also may provide notice through their individual, established communication channels, including websites, newsletters and social media.
- C. Valid public notice should include the name of the position vacated, a link or other access to application instructions and materials, and the date required for submission of the application materials, including contact information for questions and submission of applications.

#### Section 5. Uniform Application

- A. The Central Committee Caucus may use their individual application materials or may use uniform candidate application materials including a Declaration of Intent (Addendum C - Declaration of Intent), and Applicant Questionnaire (See Addendum D - Applicant Questionnaire for Nomination for a Republican Office In Maryland Legislative District 36).
- B. The uniform application materials may be posted by each of the involved county central committees on their respective websites, simultaneously with the public notice of vacancy, or otherwise distributed to interested applicants upon request.

#### Section 6. Timing of Application

- A. Applicants shall be afforded no less than ten (10) and no more than fifteen (15) days following Public Notice and Call for Applications, to complete and submit application materials. Any application not received or not complete by the published deadline, will not be considered timely and the applicant will therefore be disqualified.
- B. The Central Committee Caucus shall confirm receipt of application with each applicant within three (3) days of its receipt.

#### Section 7. Public Comment Period

The next day following the deadline for applications the Caucus may call for Public Comment, for a defined period of seven (7) days, utilizing the same or similar communications channels described in Section 4. Public Notice and Call for Applications, above. Link or contact information should be provided for formal submission of comments. Informal submissions will not be accepted.

#### Section 8. Application Review Period

- A. Eligibility  
Any individual who is a Registered Republican residing within the legislative district, and who otherwise is eligible under the Maryland State Constitution to serve as a member of the Maryland State Senate or Maryland House of Delegates, may be eligible to apply to fill a Republican legislative vacancy within the District.
- B. Caucus Review  
Within one (1) day of the application deadline, the Caucus should share all qualifying applications with the entirety of the Caucus. The members of the Caucus should have no less than five (5) days and no more than seven (7) days to review the applications. This Caucus Review period will run simultaneously with the Public Comment Period.
- C. Public Information and Privacy
  - 1) Application materials should provide disclosure that any information provided in the application by the applicant, will become a matter of public record, and that while the



Caucus intends to use the information provided exclusively for candidate review purposes, that the Caucus and individual members have no liability for any harm caused to an applicant as the result of these disclosures.

- 2) The Caucus should use its best judgment in determining whether in the interest of discretion, a matter pertaining to an applicant's application, should be discussed in closed Executive Session.

D. Background Information

The Caucus may conduct a basic background check utilizing public records searches, to ensure that no conflict of interest or other cause may affect an applicant's eligibility and electability, however, application instruction materials should disclose to applicants that by submitting an application they are consenting to a basic background check. Any information discovered through a background check, and not otherwise disclosed by an applicant, should be utilized for the Caucus review purposes only, and handled with great deference for individual privacy.

Section 9. Candidate Interviews

- A. Candidate interviews should be held by the Central Committee Caucus, following a ten (10) day application period and seven (7) day public comment period.
- B. Candidate interviews should be held in public, during a published regular or special meeting of the Central Committee Caucus, and at an agreed date and time, in a centralized location.
- C. When multiple candidates must be provided time for interview, interview times may be assigned as the result of an informal lottery to be conducted by the chairs of each participating county central committee.
- D. All qualifying candidates shall be directly notified by the Caucus of the interview details. Those not qualifying shall be notified prior to the date for interviews.
- E. Interviews should be conducted consistently, affording each applicant equal and appropriate time.
- F. Interviews may consist of opening statements, questions from the Caucus and a closing statement.
- G. Interviews may be recorded and retransmitted with authorization of the Caucus.

Section 10. Voting and Selection of Nominee

- A. Each county, according to the Maryland State Constitution, shall have one vote. County central committees may convene separately or in executive session, during the combined interview process, to discuss their selection.
- B. No proxy shall be accepted when voting for vacancies in elected office.
- C. Any vote, either by an individual county central committee, or by the Central Committee Caucus, should be taken by secret ballot, counted in view of the public forum.
- D. The Caucus should seek to preserve local control, and the most direct form of representation of local voters, by making every effort to select and submit to the Governor, the name of a single nominee to fill the district legislative vacancy.
- E. If no individual applicant receives a majority of votes from the Caucus, second and subsequent ballots will be taken, in an earnest attempt to secure a majority vote of the Caucus.
- F. In the event that no consensus can be reached by the Caucus on the day of voting, nor by the 27th day following the occurrence of the vacancy, more than one name may be submitted to the Governor.

Section 11. Nomination to Governor

- A. By statute, a name(s) shall be submitted to the Governor within thirty (30) days of the occurrence of a legislative vacancy, however the Caucus should strive to submit the name(s) of its nominee(s) by the 27th day, to afford the Governor an opportunity to confirm or return the nomination, within the 30-day period.
- B. Written nomination must be formally submitted using the biographical information form provided by the Governor's appointments office (See Addendum E - Office of the Governor Request for Appointment Consideration Biographical Information Form.)
- C. The Caucus should make formal request that the Governor's appointments office provide notice of confirmation of the nomination(s) directly to the Caucus representative or respective county chairpersons.

Section 12. Short-Term Vacancy

In the event of a short-term legislative vacancy, that occurring within sixty (60) days prior to the end of a term, time and notice requirements may be waived and application and interview shall be optional. Written nomination must be made to the Governor within thirty (30) days of the occurrence of a legislative vacancy.

Section 13. Appointment

According to Article III, Section 13 of the Maryland State Constitution, it shall be the duty of the Governor to make appointment within fifteen days after the submission of the nomination(s) to him, provided that the nomination(s) was submitted within thirty (30) days of the occurrence of the vacancy.

Section 14. Public Notice of Appointment

In addition to notifying necessary public officials, and the Maryland State Republican Party of the nomination, the Central Committee Caucus should publish notice of the appointment in any local media print outlets of significant circulation.

Section 15. Intent of Procedure

Nothing in this Addendum should be interpreted to restrict, amend or otherwise limit the individual authority of county central committees to select nominees to fill vacancies in elected offices, as provided in either the Maryland State Constitution or the Annotated Code of Maryland.

## **Procedure for Filling Vacancy in Legislative District 35**

*This procedure derives from the default provision for filling vacancies of the Maryland General Assembly as adopted in convention by the Maryland Republican Party State Central Committee on the 21<sup>st</sup> day of November, 2015 and incorporated as Appendix A into the Bylaws of the Maryland Republican Party.*

### **Section 1: Purpose**

Article III, § 13 of the Maryland Constitution provides that a vacancy in the Maryland General Assembly shall be filled by designation of the central committee of the party and district from which the legislator was last elected or appointed, within thirty (30) days of the seat becoming vacant. Within 15 days of receiving name(s) from the central committee, the Governor shall appoint from among the name(s) received. The members of the Cecil County Republican Central Committee, who are elected by the Republican voters of the county, recognize the responsibility with which they have been entrusted and understand that they are charged with filling any vacancy as representatives of Cecil County without personal partiality or prejudice.

### **Section 2: Definitions**

For the purposes of this policy, the following terms are defined.

- A. *Committee* shall mean the Cecil County Republican Central Committee.
- B. *County Chair* shall mean the Chairman of the Cecil County Republican Central Committee
- C. *State Chair* shall mean the Chairman of the Maryland Republican Party.
- D. *Legislative Vacancy* shall mean a vacancy in a seat, occurring in either the Maryland House of Delegates or the Maryland State Senate, whereby the member immediately holding the seat prior to the vacancy was a Republican at the time of last election or appointment and where the geographical boundaries of the district either lie entirely within the Committee's jurisdiction or occupy some portion of the Committee's jurisdiction.
- E. *Application Deadline* shall mean the deadline for submitting a timely application to fill a Legislative Vacancy as prescribed in Section 4 herein.
- F. *Occurrence of Legislative Vacancy* shall mean the receipt of notification that the House of Delegates member or State Senator has resigned or otherwise vacated his/her office.
- G. *Short-term Vacancy* shall mean a Legislative Vacancy occurring within sixty (60) days prior to the expiration of the vacating member's term in the General Assembly.
- H. *Applicant(s)* shall refer to an individual or individuals who submit an application(s), for a vacancy, to be considered by the Committee.

### **Section 3: Announcement of Vacancy in Legislative District 35, in general**

Except as otherwise provided in Section 11 of this Appendix 2, upon the occurrence of Legislative Vacancy, the County Chair, or their designee, shall, within five (5) days, publicly announce the Legislative Vacancy by the following means:

- A. By sending written notice, either in the form of standard mail, electronic mail, or other means of written communication to:
  - 1) all members and officers of the Committee;
  - 2) all elected public officials who were elected or appointed as Republicans and represent all or part of the county in question.

- 3) the president of each Republican organization in the Cecil County.
- B. By issuing a press release to local media announcing the vacancy, and that the vacancy shall be filled pursuant to the Committee's policy on Legislative Vacancies.

#### Section 4: Applications to Fill Legislative Vacancies

- A. Any individual who meets the requirements of the Maryland State Constitution to serve as a member of the Maryland State Senate or Maryland House of Delegates from the district in which the vacancy occurs may apply to be considered as a candidate to fill the vacancy.
- B. Any individual wishing to apply to fill the vacancy shall submit a completed application prior to the Application Deadline.
- C. The Application Deadline shall be announced along with the Legislative Vacancy in accordance with Section 2 above, and shall in no event, be set less than ten (10) days nor more than fifteen (15) days after the Legislative Vacancy occurs except as prescribed in Section 10 herein.
- D. Any individual wishing to apply to fill a Legislative Vacancy shall send his or her application via electronic mail (email) or First Class mail to the officially published address of the Committee. ('Read Receipt' on email, or 'Tracking' on First Class mail is recommended)
- E. Any application materials received by email, or postmarked by the Application Deadline will be deemed to have been timely filed.
- F. The County Chair, or their designee, shall confirm receipt of an application within three (3) days of receipt by the Committee.
- G. Any applications or application materials not timely filed shall not be considered.
- H. All committee members shall be sent an electronic copy of all applications within two (2) days following the Application deadline.

#### Section 5: Review of Applications

- A. Each application received in a timely manner shall be reviewed by the County Chair, or their designee, to verify that applicant meets the Constitutional eligibility requirements (e.g., residency in the district, etc.) to occupy the seat in which there is a Legislative Vacancy and that the application is complete.
- B. The County Chair, or their designee, shall report the findings on the submitted applications to the entire Committee.

#### Section 6: Public Comment Period

- A. Within (3) days after the Application Deadline, the County Chair, or their designee, shall announce the identity of all applicants for the Legislative Vacancy along with an invitation for public comments in the same manner as set forth in Section 3 above for originally announcing the Legislative Vacancy.
- B. The method and deadline for submission of public comments shall be announced in accordance with Subsection A of this section.
- C. The deadline for public comments shall be a minimum of seven (7) days after the application deadline.

#### Section 7: Interviews

- A. The Committee shall interview candidates seeking to fill a Legislative Vacancy, and shall notify any candidates who will not be interviewed.
- B. The interviews may take place at a Regular or Special Meeting of the Committee as defined in Article V of the Bylaws of the Cecil County Republican Central Committee.
- C. Each interview may consist of an opening statement, questions from the Committee, and a closing statement.

- D. After the interview of applicants is completed, the Committee will discuss the qualifications of the applicants, which may occur in Executive Session.

#### Section 8: Selection of Candidates

- A. There shall be no proxy voting on applicants to fill Legislative Vacancies.
- B. If a Central Committee member is also a candidate, it is in the best interest of the selection process that they recuse themselves from the selection proceedings. A Central Committee member may recuse themselves from the vote for other conflicts of interest as well.
- C. Voting shall take place in open session by secret ballot, and the ballots tallied and results announced after the completion of the interview of applicants. It may occur during the same session as the interview of candidates, or during a subsequent meeting of the Committee provided that it occurs during the time period as provided by Section 6(c) herein and the vacancy exists at the time of the vote.
- D. If no individual applicant receives enough votes on the first ballot to constitute a majority of Committee members, a second and subsequent ballots will be taken until one applicant receives votes of a majority of Committee members. The Committee will then forward their decision to the Governor.<sup>2</sup>

#### Section 9: Early Initiation of Process for Anticipated Vacancies

- A. In some cases, when an incumbent member of the State House of Delegates or the State Senate, has announced an intention to resign as of a given date, it may be prudent to initiate the selection process prior to the actual occurrence of a vacancy.
- B. When the Committee is in receipt of the formal resignation letter of a State Delegate or State Senator, which has a specified effective date occurring no more than thirty (30) days in the future, the Committee may proceed with the process for filling a Legislative Vacancy as if the Legislative Vacancy had occurred on the date the letter was received. However, in no event, shall the Public Comment, Interviews or any Vote take place prior to the actual occurrence of the Legislative Vacancy.
- C. If the process for filling a Legislative Vacancy is initiated early due to an anticipated vacancy, the Application Deadline may be set no earlier than ten (10) days prior to the receipt of the formal resignation letter.
- D. Should the process have been initiated early, but for some reason the Legislative Vacancy never actually occurs, the process will terminate immediately.

#### Section 10: Short-term Vacancies

In the event of a Short-term Vacancy as defined in Section 2(g) herein, the Committee may act to fill the Legislative Vacancy at a Regular or Special Meeting with voting taking place in accordance with Section 8 herein, except that no timeframes specified in these policies shall apply to filling the Short-term Vacancy. In addition, the Committee shall not be required to announce, take applications for, or interview applicants for a Short-term Vacancy. The requirements of Sections 3 through 8 of this policy shall not apply. Any selection to fill such a Legislative Vacancy, however, must still be made within thirty (30) days after the occurrence of such a vacancy as set forth by the Maryland State Constitution.

<sup>2</sup> The Maryland Court of Appeals, in 444 Md. 613 (2014), clarifies that the nominating provision of Article III, § 13 of the Maryland Constitution allows for the decision of the Committee to send a single name, send multiple names or decline to participate altogether by not sending any names.

Section 11: Filling Vacancy in Legislative Sub-District 35B & Senatorial District 35

- A. In the case of a Legislative District 35, which occupies portions of Cecil and Harford Counties, the County Committees shall follow the guidelines above for a single County district and shall work together wherever possible.
- B. Applications shall be sent to a single address and then shared with all committee members as set forth by section 4(h).
- C. If possible, the Public Comment, Interviews and Voting shall be held in one location for all Committee members. Each Committee shall vote separately, using the voting procedures stated previously in Section 8(c). The results of each County Committee's votes shall be presented to the public, and the appropriate name(s) sent to the Governor.
- D. If a joint Public Comment, Interviews and Vote is not possible due to distance or other factors, then the above guidelines shall be followed on an individual county basis; however, each individual County Chairman, prior to releasing their individual results, shall meet to share their results in an attempt to submit a single joint nomination. If the counties have different preferred nominees and cannot reach a consensus, multiple nominations may be submitted.

Section 12: Notification of the Governor

The County Chair, or their designee, shall notify the Governor of the Committee's decision within one (1) day after the final selection is made. Pursuant to Article III, § 13(a)(1) of the Maryland State Constitution, the Governor must be notified no later than thirty (30) days after the occurrence of the Legislative Vacancy.

