



**Report of the Plan of Organization Committee
for the 2023 NCGOP State Convention**

Members of the State Plan of Organization Committee

Secretary Ed Stiles, District 1, Wilson County
Mike Phillips, District 2, Wake County
Bob Pruett, District 3, Carteret County
Melodie Parrish, District 4, Durham County
Lynette Ramsey, District 5, Caldwell County
Marcus Kindley, District 6, Guilford County
Helen Pannullo, District 7, Brunswick County
Vice Chair Daniel Barry, District 8, Union County
William Scholtes, District 9 Moore County
Heather Gessler, District 10, Iredell County
David Eachus, District 11, Haywood County
Anne Clifford, District 12, Mecklenburg County
Penny Jordan, District 13, Wayne County
Jonathan Fletcher, District 14, Gaston County
Jerol Kivett, At Large, Sampson County
Alissa Haddock, At Large, Union County
Chair Steven Walker, At Large, Johnston County

Activities of the Committee

During this cycle, the Committee considered dozens of proposed amendments to the State Plan of Organization, some submitted by the members of the committee, and others submitted by party members. Some of the issues that the Committee worked on but will defer until later include amendments to the notice requirements to include electronic notice, redistricting issues and their impact on the processes of the Party, and the size of the Executive Committee, among other proposals. The Committee also wished to convey to the Convention that there exists a need to rewrite much of the Plan for consistency and style, which will be a herculean task to be tackled by a future iteration of the Committee.

In addition to the work on proposed amendments, the Plan of Organization decided three appeals that were brought before it pursuant to Art. VII. D. 3. d. 2. a. Those opinions are included at the end of this report.

The Chair thanks the Plan of Organization Committee for its hard work and the Committee recommends to the delegates of the State Convention that these eleven amendments be adopted. Following each proposal is a brief rationale for the need to adopt the suggested amendment.

PROPOSAL # 1

Inconsistent County Plans

A procedure to clarify the amendment of an inconsistent County Plan

Amendment:

ARTICLE III – COUNTY ORGANIZATION; Section A – County Executive Committee; subsection 2 – Powers and Duties, is amended as follows:

“2. Powers and Duties

The County Executive Committee shall cooperate with the District and State Committees in all elections and Party activities; shall encourage qualified candidates for office within the county ~~County~~; shall adopt a budget; shall recommend nominees to the State ~~Chairman~~ Chair for appointments for County Board of Elections in accordance with Article IX.D.2.d. and shall have active management of Party affairs within the county. It shall approve a Finance Committee and an Auditing Committee of not ~~less~~ fewer than ~~3~~ three members each and may approve such other Committees as may be deemed necessary. ~~The County Chairman and Vice-Chairman shall be Ex-officio Members of all Committees indicated in this paragraph. In the event that it is determined that the County Plan of Organization is not consistent with the State Party Plan or Organization, the County Executive Committee must at the next called meeting bring the County Plan of Organization into compliance with the State Party Plan of Organization. Under any circumstances the County Plan of Organization must be brought into compliance within 90 days. If permitted by the County Plan of Organization, the County Executive Committee may amend the County Plan of Organization upon a 2/3 vote after providing of the meeting advising members regarding the substance of the proposed amendment and provided a quorum is present. The State Plan of Organization Committee is authorized to notify the County Chair of any inconsistency between the County and State Plans of Organization. The County Executive Committee is directed to eliminate and correct the inconsistency and shall do so within 90 days of the County Chair's receipt of the notice of inconsistency. The meeting for this purpose shall be on 30 days' notice to all County Executive Committee members, unless the County Plan provides for a shorter period. Approval of any County amendment to eliminate and correct the inconsistency shall be by majority vote of the members present. The State Plan of Organization shall control over the inconsistent part of the County Plan during such time as the County Plan remains inconsistent. The County Republican parties Party shall submit, by certified United States mail, return receipt requested, their its Plan of Organization County Plans of Organizations and any amendments thereto, to the Plan to the NCGOP State Headquarters Executive Director, Political Director, the Chair of the State Plan of Organization Committee, and District Chairman the Chair or Chairs of the Congressional Districts in which the county~~

lies, each of whom shall acknowledge receipt of the Plan or amendment, within 30 days after adoption, in order for the Plan ~~or~~ ~~and/or~~-amendment ~~or both~~ to be considered valid. The County Executive Committee shall elect the General Counsel at its first meeting after the ~~biennial~~ County Convention held in every odd-numbered year unless the County Plan of Organization provides for election by that Convention itself.”

Brief Rationale: This proposal makes clear the process for determining whether a County Plan of Organization is inconsistent with the State Plan of Organization, and clarifies the process for amending a County Plan of Organization that is inconsistent with the State Plan of Organization.

Proposal #2

Party Officers as Candidates

Article IX – GENERAL ADMINISTRATIVE PROCEDURE

G. PARTY OFFICERS AS CANDIDATES

~~In the event that the chairman or vice chairman~~ If any officer of the State Party, or any officer of any Congressional District, Legislative District, Senatorial District, Judicial District or County Party, or any member of the State Central Committee excluding the Republican Joint Caucus Leader of the General Assembly, the Republican Leader of the North Carolina House of Representatives and the Republican Leader of the North Carolina Senate ~~shall announce his intentions to run for public office, or shall file a notice of candidacy with the Board of Elections,~~ or shall take any action that legally makes that person a candidate for public office, that person shall be deemed to have automatically resigned his office or position within the Party, ~~effective seven days after the close of filing,~~ and the then-existing vacancy shall be filled as provided in this plan ~~for herein~~. In those cases where the Party office held by ~~said~~ the person is at the county level, the Party official may petition the County Executive Committee for exemption from this provision and the County Executive Committee may, for good cause shown, grant ~~such an~~ exemption with upon a two-thirds affirmative vote. ~~This exemption shall be deemed void if any provided that no~~ other Republican files with the Board of Elections for the same public office within that election cycle.

Brief Rationale: This proposal ensures that someone in a party office or positions listed in the amendment does not use his office or position in the Republican party to assist him as a candidate for public office by providing that he will be deemed to have resigned when he takes an action that legally makes them a candidate for public office.

PROPOSAL #3

DATES FOR STANDING COMMITTEES

Article VII.D.3 reads as rewritten:

Article VII – Conventions

D. 3.

1. Standing Committees

- a. The Standing Committees for each Convention shall be the Credentials, Plan of Organization, Platform, Resolutions and Rules. These Committees ~~committees~~ will be appointed no later than September 1 following the odd-numbered year State Convention elections. The Committees will remain in effect for ~~2~~ two years until the next cycle of appointments. The State ~~Chairman~~ Chair shall appoint three members to each of the Standing Committees for the Convention. Each Congressional District Chairman will appoint one person, other than ~~themselves~~ himself or his spouse, from ~~their~~ his District to each of the Standing Committees. The State ~~Party~~ Chair will name the Committee Chair for each of the Standing Committees from within the membership of the respective Committees. The Vice Chair, and Secretary of each Committee shall be elected by each committee from within its membership at its initial organizational meeting. The Committee organizational meeting shall be held prior to October 1 in the year in which the Committee was appointed. Twenty-five percent of the members ~~Members~~ of a Standing Committee shall constitute a quorum for the transaction of business.
- b. The Credentials Committee will meet and issue its report on Delegates and Alternates certified to that Convention ~~convention~~ at least three (~~3~~) days in advance of the convening of the Convention. All Delegates and Alternates challenged in the report of the Credentials Committee shall be notified prior to the day of the Convention and allowed to present their ~~case~~ cases to the Credentials Committee prior to the convening of the Convention.

The Credentials Committee, Plan of Organization Committee,

Platform Committee, Resolutions Committee and the Rules Committee shall give written notice of all business it will place before the convention at least 30 days prior to the convening of the Convention by placing its reports on the NCGOP website. Any State Executive Committee member may request a written copy of the reports by mail. Any business on which notice has not been given shall not be taken up by the Convention or be placed on the agenda unless the propounder of said business shall have first furnished a minimum of ~~one thousand (1000)~~ 1,000 copies of the matter to be considered, and then only if the Convention, by a two-thirds vote, agrees to address ~~said~~ the business.

- c. The Plan of Organization Committee shall have the following responsibilities and duties:
 - 1. Propose amendments to the State Plan of Organization at the annual State Convention (Art VII.D.3.c)
 - 2. Serve as the final interpretive body concerning questions related to the State Plan of Organization or parliamentary procedure ~~Parliamentary Procedure~~. Any question that implicates State or Federal Law shall be referred to the State General Counsel.
 - a. Questions concerning to the interpretation of the State Plan of Organization or ~~Parliamentary Procedure~~ parliamentary procedure shall be submitted to the State General Counsel and the State Plan of Organization Committee ~~Chairman~~ Chair. Any decisions may be appealed to the Plan of Organization Committee for a final decision. A report shall be provided to the Plan of Organization Committee monthly on all actions taken by the General Counsel and State Plan of Organization Committee Chair when the Plan of Organization Committee was not consulted.
 - b. The State General Counsel and State Plan of Organization Committee ~~Chairman~~ Chair may refer any question to the State Plan of Organization Committee. If the State General Counsel and State Plan of Organization Committee ~~Chairman~~ Chair are not in agreement on a decision, they shall refer the question to the State Plan of Organization

- Committee for consideration.
- c. If questions arise because of potential conflicts between the District or County Plan of Organization and the State Plan of Organization, the questions may be submitted as stated in VII.D.3.d.2.a.

If either the State ~~Chairman~~ Chair or District ~~Chairman~~ Chair fails to make the standing committee appointments within the time prescribed, the respective Vice-Chairman shall make the appointments.

Brief Rationale: The amendment makes clear the process for when standing committees begin their work following member appointments and provides for a report of the Plan of Organization Chair to the Committee concerning Plan interpretation questions submitted to the Plan Committee Chair and the General Counsel that are decided without appeal to the Committee.

Proposal #4

Modifications to RNC Appointment Committee

Article VIII.C.1.a. reads as rewritten:

Article VIII - National Convention Delegate Selection

C. At-Large Selection

1. National Convention Selection Committee

a. In addition to the Standing Committees for the State Convention identified in Article VII.D.3 above, the State ~~Chairman~~ Chair shall appoint a National Convention Selection Committee for Presidential Election Year State Conventions. The Republican National Committeeman and Republican National Committeewoman shall serve on the National Convention Selection Committee. The appointment of ~~the all other~~ members of the National Convention Selection Committee, and its general operation shall be governed by the provisions in Article VII.D.3 ~~and its general operation shall be governed by the provisions of Article VII.D.3;~~ however, the National Convention Selection Committee shall have the following additional duties and obligations:

Brief Rationale: As the RNC Committeeman and Committeewoman are very active in both the RNC and the fundraising activities of the party, this amendment would have both serve on the National Convention Selection Committee that selects at-large delegates to the National Convention.

Proposal #5
Budget Procedures/Central Committee/Executive
Committee

EFFECTIVE DATE: This amendment is effective for the budget year beginning July 1, 2025.

Section 1. A new subsection to Article VI.A.2 reads as follows:

d. The State Central Committee shall prepare a two-year budget that shows monthly and cumulative estimated categorized revenue, expenses, and net cash flow for each year of the two-year budget cycle. The budget year shall be July 1 of the year presented to June 30 of the following year. The budget shall be presented to the State Executive Committee at an in-person meeting to be held not later than the day immediately following the adjournment of, and at the same location as, the North Carolina Republican Party State Convention.

Section 2. Article VI.B.2. reads as rewritten:

~~In every odd numbered year, the State Executive Committee shall meet within 30 days of the adjournment of the State Convention and elect a Secretary and an Assistant Secretary, a Treasurer and Assistant Treasurer, General Counsel and Assistant General Counsel who shall serve for a term of two years or until their successors are elected. The Committee shall formulate and provide for the execution of such plans and measures as it may deem conducive to the best interests of the Republican Party. It shall approve an Auditing Committee of at least three members, one of who shall be a Certified Public Accountant, to conduct a yearly review, as described in Article VI, D; adopt a budget; and have supreme management of all affairs of the Party within the State. It may delegate such duties at it deems proper to the State Central Committee.~~

The State Executive Committee shall meet on the day immediately following the adjournment of the State Convention and approve, approve with modifications, or disapprove the budget prepared by the State Central Committee. If no budget is approved, then the last budget approved by the State Executive Committee, without any later modifications made by the State Central Committee, shall be in place for the next 24 months beginning on July 1 of that year. At the same meeting held in an odd-numbered year, the State Executive Committee shall elect a Secretary and an Assistant Secretary, a Treasurer and Assistant Treasurer, General Counsel and Assistant General Counsel who shall serve for a term of two years or until their successors are elected. The Committee shall formulate and provide for the execution

of such plans and measures as it may deem to be in the best interests of the Republican Party. It shall approve an Auditing Committee of at least three members, one of whom shall be a Certified Public Accountant, to conduct a yearly review, as described in Article VI.D.; adopt a budget; and have supreme management of all affairs of the Party within the State. It may delegate such duties at it deems proper to the State Central Committee.

Brief Rationale: In order to streamline the budgeting process for the State Party, this proposal requires the adoption of a two-year budget that is amended annually immediately following the State Convention and further provides clarity to prevent the quorum issues that have recently arisen in the Executive Committee meetings.

Proposal #6

Automatic Resignation Amendment

Article IX.E.3 reads as rewritten:

Any Committee member or officer of a County, District or State Republican Executive Committee campaigning ~~in person, on social media, or in any other manner~~ for a candidate, in any race, who is a not a member of the Republican Party and is running in opposition to a member of the Republican Party, shall have been deemed to have automatically resigned from ~~the all~~ Committees and ~~any all~~ positions in any County, District, or State Republican Party, and shall be ineligible to hold a party office or position for one year following the final determination that the person has automatically resigned. ~~In addition, no Committee member or officer shall serve as a treasurer or member of a campaign committee for any candidate, in any race, if that candidate is not a member of the Republican Party and is running in opposition to a member of the Republican Party.~~

Campaigning is defined as any and all efforts designed to influence voters to support or reject a particular candidate including, without limitation, advertising, rallying, public speaking, or other communications with voters or the public at large, to include statements of support on social media, or serving as a treasurer or member of a campaign committee for a candidate. Campaigning does not include mere presence at an event in which a candidate is also present, or the posting on social media of pictures that contain candidates, so long as those postings are not designed to influence voters to support or reject a particular candidate.

If a Committee member subject to automatic resignation fails to vacate his or her seat, any member of the Party as defined in Article I of this Plan may petition the General Counsel of the Committee upon which the violator sits to have the Committee member be deemed to have automatically resigned. If the General Counsel of the Committee finds that automatic resignation is not applicable, he shall make his decision in writing and it shall be final. If the General Counsel of the Committee finds that the Committee member has automatically resigned, his decision shall be in writing, and the Committee member is entitled to appeal the decision to the Arbitration Committee. The Arbitration Committee's decision on appeal shall be final. If the General Counsel of the Committee is alleged to have automatically resigned or the County does not have a General Counsel, the Chair of the Committee shall determine whether the General Counsel has automatically resigned, with the same process as if the General Counsel were making the decision.

Brief Rationale: Following the adoption of the Automatic Resignation proposal at the 2022 Convention, practical experience has shown the need to set out procedures for the carrying out of this provision. This proposal makes those procedures clear.

PROPOSAL #7
TO CLARIFY RULES RELATING TO THE ELECTION
OF DELEGATES WHO ARE NOT IN ATTENDANCE AT
THEIR ANNUAL PRECINCT MEETING OR COUNTY
CONVENTION

ARTICLE II – PRECINCT ORGANIZATION; C. DUTIES OF OFFICERS; first sentence of second paragraph.

Following the Annual Precinct Meeting described in ARTICLE VII.A, the Chairman Chair and Secretary of each Precinct, or someone acting in their roles at the Annual Precinct Meeting, shall certify the election of Officers, Committee Members, and Delegates and Alternates to the County Convention to the County Chairman Chair.

ARTICLE IX – GENERAL ADMINISTRATIVE PROCEDURE; A. MEETING PROCEDURES; 2. Voting Procedure; paragraph b

~~No person shall be seated as a Delegate at any County, District or State Convention unless such person shall have personally attended the Annual Precinct Meeting, and shall have been duly elected a Delegate or Alternate by the appropriate Precinct Meeting or County Convention; except, the registered Republican or Republicans, present at a County Convention from an unorganized Precinct, which has not had its credentials accepted, shall have the right to vote 1 vote per Precinct, prorated among those present from that Precinct. For those who were unable to attend the Annual Precinct Meeting, each County Plan of Organization may provide for a procedure to permit the election of person(s) to be Delegates and Alternates to the County, District and/or State Convention. Each County Executive Committee is hereby authorized to amend their County Plan of Organization prior to the Annual Precinct Meetings and County Convention for the sole purpose of implementing a procedure to permit the election of person(s) to be Delegates and Alternates to the County, District and/or State Convention.~~

b. If no Delegate or Alternate from a Precinct is credentialed by the County Credentials Committee, then those registered Republicans attending a County Convention from that Precinct shall be invited on to the Convention floor and may collectively cast one vote at the Convention.

ARTICLE IX – GENERAL ADMINISTRATIVE PROCEDURE; A. MEETING PROCEDURES; 5. General Election Procedure

~~Notwithstanding any other Article in this Plan of Organization, the allocated Delegate slots and then the allocated Alternate slots allotted under this Plan of Organization to a Precinct or a County shall be filled first by the election of those duly qualified registered Republicans, eligible to vote, present at such Meeting or Convention and desiring to be elected to fill such slots. All duly qualified Republicans registered to vote may be elected by qualified Republicans attending the meeting to fill slots that have not been filled by Republicans attending the meeting or conventions. A county may provide in its Plan of Organization that only persons actually present are eligible for election as Delegates or Officers.~~

The title of subsection 5 is changed from “General Election Procedure” to “Election Procedure.”

- a. Delegate and Alternate slots shall be filled first by those eligible Republicans who are in attendance at the Annual Precinct Meeting or County Convention and who are willing to serve. If any Delegate or Alternate slots remain unfilled after the election of those who are in attendance at the Annual Precinct Meeting or Convention, then eligible Republicans who are not in attendance but who are willing to serve may be elected to fill those slots. No one shall be elected as an Alternate, however, until all of the Delegate slots are filled.
- b. Each County Executive Committee shall adopt a procedure that allows eligible Republicans who are not in attendance at the Annual Precinct Meeting or County Convention to be elected as an officer, Committee member, Delegate or Alternate at that Meeting or Convention. The procedure shall require that a notice of the individual’s willingness to serve be in the hands of a person or persons designated by the County Executive Committee prior to the Annual Precinct Meeting or in the hands of the Credentials Committee prior to the County Convention, as the case may be, and that contact information, including the individual’s full legal name, address, phone number, and email address, be provided. The County Chair shall describe this procedure in his Public Notice of the Convention.

Brief Rationale: There has been much controversy this year on how proposed delegates who were unable to attend their precinct meetings should be handled. This proposal provides clarity on the duties of County Parties and the delegates.

Proposal #8

Conforming Changes to the Terms “Chair” and “Chairman”

Throughout the Plan, the various usages of the word “Chair” and “Chairman” shall be conformed to read “Chair.”

Brief Rationale: In many places in the Plan, the word “Chair” is used and in others the word “Chairman” is used. This proposal would simply provide consistency across the Plan.

PROPOSAL #9

Technical Corrections to Article I

ARTICLE I - MEMBERSHIP

~~A. MEMBERS~~

All citizens of North Carolina who are registered Republicans are Members of the Republican Party of North Carolina and shall have the right to participate in the official affairs of the Republican Party in accordance with these rules. All reference herein to Delegates, Alternates, Officers and Members shall, in all cases, mean persons ~~identified and~~ registered with the Republican Party in the Precinct of their residence. Any person running for Party Office within the North Carolina Republican Party, at any level, shall be a resident of the jurisdiction in which he seeks office. ~~A candidate running for any level of Republican Party office shall be a registered Republican resident of the jurisdiction in which he seeks office. In the event~~ If a candidate for public office was not a registered Republican as of January 31 of the year prior to the election in which that candidate seeks election, the Executive Committee of the jurisdiction may disqualify such candidate from recognition, endorsement, and the utilization of party resources.

Brief Rationale: This proposal removes duplicate language from Article I of the Plan of Organization.

Proposal #10

Enlarge Arbitration Committee

Article X.C.1. reads as rewritten:

C. AUTHORITY

1. Controversies

Controversies in any County or District with respect to the organizations set up therein under this Plan shall be referred to ~~an~~ the Arbitration Committee for arbitration. The Arbitration Committee members shall be the State Chair, State Vice Chair, National Committeeman, National Committeewoman, the General Counsel, and three at-large members selected by the State Executive Committee for a two-year term at the first meeting of the State Executive Committee following adjournment of odd-numbered year State Conventions. ~~whose members shall be the State Chairman, State Vice Chairman, National Committeeman, National Committeewoman and General Counsel for arbitration.~~ Parties before the Arbitration Committee shall have a reasonable opportunity to present their case through argument and evidence. The length and parameters of such argument, as well as the admission and consideration of such evidence, shall be solely within the discretion of the Arbitration Committee, but the Arbitration Committee must afford parties a reasonable opportunity to present their cases. Rulings from the Committee shall be made within 60 days, and their decision shall be final. All parties who participate in an arbitration shall have access to the final, written decision of the Arbitration Committee.

Brief Rationale: This proposal would add three at-large members selected by the State Executive Committee to serve on the Arbitration Committee. As Proposal #1 of this report could add additional work for the Arbitration Committee, the Plan of Organization Committee proposes an expansion of the Arbitration Committee.

Proposal #11

Removal of Officers or Committee Members

Amendments:

ARTICLE II – PRECINCT ORGANIZATION; Section D – Precinct Meetings; subsection 3 – Vacancies and Removals in Precinct Committee is amended by designating the first sentence of subsection 3 as paragraph “a” and by replacing the second sentence with new paragraph b, as follows:

b. The County Executive Committee may remove an officer or member of the Precinct Committee for gross inefficiency, party disloyalty, or intentional failure to comply with the County or State Plan of Organization in accordance with the same provisions applicable to the removal of a County Executive Committee member contained in Article IX.A.6.b and c, except that (i) no written record of the oral arguments, testimony, and exhibits shall be required and (ii) the decision of the Committee shall be final.

ARTICLE III – COUNTY ORGANIZATION; Section A – County Executive Committee; subsection 5 – Vacancies and Removals; paragraph b is amended as follows:

~~“b. The procedure for removal of any member or officer is defined in Article IX.A.6 set out in Article IX.A.6. b, c, and d. Such removal may be appealed to the State Central Committee within 20 days and its decision shall be final.”~~

ARTICLE V – CONGRESSIONAL DISTRICT ORGANIZATIONS; Section A – Congressional District Executive Committee; subsection 5 – Vacancies and Removals; paragraph b is amended as follows:

~~“b. The procedure for removal of any member or officer is defined in Article IX.A.6 set out in Article IX.A.6. b, c, and d. Such removal may be appealed to the State Central Committee within 20 days and its decision shall be final.”~~

ARTICLE IX – GENERAL ADMINISTRATIVE PROCEDURE; Section A – Meeting Procedures; subsection 6 - Vacancies and Removals is repealed in its entirety and replaced by the following:

“a. Vacancies. Vacancies may be filled by the remaining members of an Executive Committee or as provided in the Plan of Organization governing that Committee.

“b. Removals. Any member of a Committee organized under this Plan may be removed for gross inefficiency, party disloyalty, or intentional failure to comply with

a County, District, or State Plan of Organization, by a two-thirds vote of that Committee (or, in the case of an action to remove a Precinct Committee member, by the County Executive Committee) present and voting, after being furnished with written notice of the charges against him, signed by the lesser of (i) 50 members or (ii) one-third of the members of the Committee. Party disloyalty is defined as actively supporting a candidate of another party or an unaffiliated candidate running in opposition to a Republican nominee in a general election or in opposition to a properly endorsed Republican candidate in a non-partisan race. In the interest of party unity, each County or District Executive Committee shall conduct informal consultations, counseling, and other means of resolving or settling the matter, and the inclusion of a recital of those efforts shall be included in the written decision of the Committee.

“c. Procedure. The notice required under paragraph b above shall include allegations of the facts which are the basis of the charge or charges. The member shall be given an opportunity to be heard by the Committee no sooner than 30 days, and no later than 45 days, after the date of the notice and to present arguments and evidence in his defense. Committee members shall decide the charges based solely on the evidence and arguments presented at the hearing, to the exclusion of all other things and matters. Any decision shall be in writing, shall state the facts determined to uphold the decision, and shall be served on the member by certified mail. In the case of the removal of a County or District Executive Committee member, a verbatim written or video (with included audio) record shall be compiled of all oral arguments, testimony, and exhibits, which shall be transmitted to the Executive Director of the State Party.

“d. Appeals. A decision by the State Executive Committee shall be final. Except for the removal of a member of a Precinct Committee, the decision of a County or District Executive Committee may be appealed to the Arbitration Committee established under Article X.C.1 of this Plan. Notice of appeal shall be given in writing to the Arbitration Committee and the County or District Chair within 10 days of receipt of the decision. The County or District Chair shall forward the written record to the Arbitration Committee within 10 days of receipt of the notice of appeal. The Committee shall decide the charge based solely on the record within 45 days of its receipt. A written decision shall be made and notice thereof shall be served on the member and the County or District Chair by certified mail. The Arbitration Committee’s decision shall be final.

“e. Automatic Removal on Felony Conviction. A member convicted of a felony after election to a Committee organized under this Plan shall be immediately and automatically removed, without the need for any further action, at which time the member’s seat shall be vacant. Each member shall have the affirmative duty to inform the Chair of the Committee in writing immediately upon his conviction; provided that the failure of a member to notify the Chair shall not affect the

member's expulsion from the Committee in accordance with this paragraph. For this purpose, a conviction of a felony shall include entry of a judgment of guilty, a guilty plea, an Alford plea, or a plea of no contest."

ARTICLE IX – GENERAL ADMINISTRATIVE PROCEDURE; Section E – Forfeiture of Official Privileges; subsection 1 – Removal or Resignation from Committees is amended as follows:

Any ~~current or former~~ officer or member of a Precinct Committee, County Executive Committee, District Committee, State Executive Committee or State Central Committee who, for any reason, is removed or ~~resigned~~ resigns from ~~said~~ his position shall forfeit all rights and privileges in any way connected with that position.

ARTICLE IX – GENERAL ADMINISTRATIVE PROCEDURE; Section E – Forfeiture of Official Privileges; subsection 2 – Party Disloyalty is amended as follows:

In addition to the removal of a Party officer or Committee member, any registered Republican who engages in an act of Party Disloyalty, as defined in Section A.6.b of this Article, attempting to influence or influencing the outcome of any election against a Republican candidate or Republican endorsed by the appropriate Republican Executive Committee or Legislative Caucus, other than by supporting an opposing Republican Candidate in a Republican primary, may be declared ineligible to hold any Party office under the State this Plan of Organization at the State, District, and Precinct level for Party disloyalty by 2/3 two-thirds of the Committee members present and voting at a meeting vote of the State Executive Committee. Charges of Party disloyalty under this subsection may be brought by petition of 50 members of the State Executive Committee, or by resolution of a County or District Republican Executive Committee pursuant to rules of the County or District that Committee. The State Executive Committee may declare a Republican found to have engaged in Party Disloyalty as ineligible to serve in any office under the this Plan of Organization for a period of time between 6 months and not to exceed five years.

Brief Rationale: This proposal would clarify the procedure to remove officers and other committee members and provides due process for those accused of removeable offenses.

State Plan of Organization Appeal 2023-01

RE: Cabarrus County Regarding Absentee Delegate Forms

Background: The Cabarrus County Plan of Organization provides that “Precinct members with an approved absence from the County Chairman do not need to be in attendance in order to be elected as Delegates or Alternates.” Cabarrus POO Art. II.(A).3. A total of 74 in-person delegates and 299 absent delegates/alternates found on forms were voted on during the precinct meeting and certified by the respective precinct committees.

Questions Presented: Is the provision of the Cabarrus Plan of Organization that requires absences be approved by the County Chairman inconsistent with the State Plan of Organization?

Opinion Appealed From: The opinion of the State General Counsel and the Plan of Organization Chair was as follows: “Where the County Plan is more specific and within the bounds of the State Plan, it is permitted to add requirements. Therefore, the Cabarrus Plan can permit the Chairman to approve absences. However, ultimately the decision of who to credential is up to the credentials committee at the convention (which is then voted upon by the convention itself).” Appeal is made pursuant to State Plan VII.D.3.d.2.a

Opinion of the Committee: It is the opinion of the Committee that the Cabarrus County Plan of Organization is inconsistent with the State Plan, insofar as it allows the County Chairman to approve or deny absentee delegate requests, and that provision is inoperative as inconsistent with the State Plan of Organization.

While the State Plan of Organization allows County Plans to “provide for a procedure to permit the election of person(s) to be Delegates and Alternates to the County, District, and/or State Convention,” (See State Plan Art. IX.A.2.b) such procedures must be consistent with the State Plan. The State Plan provides in Art. IX.A.5 in pertinent part: “All duly qualified Republicans registered to vote may be elected by qualified Republicans attending the meeting to fill slots that have not been filled by Republicans attending the meeting or conventions.” The presumption of the plan is that if there are remaining delegate slots after those who are present are elected, then those who are absent may be elected by qualified Republicans attending the meeting.

Moreover, the State Plan, Art. VII.B.1.a provides for the Credentials Committee, not the County Chair, to challenge the qualifications of those delegates elected at the Precinct Meeting. Finally, “The Delegates and Alternates elected at the Precinct

Meetings, unless successfully challenged, **shall** sit as Delegates and Alternates to the County Convention.” State Plan Art. VII.B.1.a (emphasis added).

Accordingly, the provision of the Cabarrus County Plan of Organization is inconsistent with the State Plan insofar as it allows a County Chairman to deny delegates to the County, District, or State Conventions that are otherwise qualified, elected as delegates or alternates at the Precinct Meeting, and have not been successfully challenged pursuant to State Plan Art. VII.B.1.a. Because the Cabarrus Plan is inconsistent with the State Plan in this regard, it is the opinion of the Committee that this provision is inoperative and that the provisions of the State Plan apply.

This opinion was adopted unanimously by the State Plan of Organization Committee on March 6, 2023.

State Plan of Organization Opinion 2023-002
**RE: Cabarrus County Regarding Canceling/
Rescheduling Convention**

Background: This matter is before the Committee pursuant to the Plan of Organization, having questions raised to the Plan of Organization Committee Chair and the State General Counsel, and those questions being referred by them to the Committee for an interpretation of the State Plan. The Committee heard from various interested parties, including the Chairman of the Cabarrus County Republican Party. The circumstances giving rise to this referral include the Press Release regarding absentee delegates released by the Cabarrus County Republican Party and the announcement that the Cabarrus County Convention had been cancelled.

Questions Presented:

Does the Plan of Organization allow a "redo" of precinct meetings?

Under what circumstances may a County Convention be cancelled or rescheduled?

Opinion of the Committee:

In regard to the first question, it is the opinion of the Committee that the State Plan of Organization does not allow for a “redo” of precinct meetings. Once a precinct meeting is held, delegates and alternates are elected at that meeting to the County Convention, and the meeting is closed, there is no avenue in the State Plan of Organization that allows for these meetings to be “redone.” As stated in Opinion 2023-001, those delegates and alternates elected at the Annual Precinct Meeting shall be delegates unless otherwise properly challenged according to the process set out in the State Plan.

In regard to the second question, it is the opinion of the Committee that a duly called Convention cannot be cancelled and rescheduled simply at the unbridled discretion of the County Chair or Executive Committee, but that exigent circumstances must be present for a cancellation/rescheduling.

The State Plan of Organization states in Article VII.B.5 “When circumstances beyond the control of the County Party prevent access to or use of the County Convention facility (including but not limited to inclement weather conditions), it shall be the responsibility of the County Chairman to consult with the County Vice-Chairman, County Secretary and County Treasurer and make a decision on the cancellation and rescheduling of said County Convention in the most timely manner possible. All efforts should be made by the County Chairman to notify local news

outlets of said cancellation and rescheduling information. Notice of cancellation and rescheduling shall be given to Republican State Headquarters within twenty-four (24) hours or on the next business day.”

Furthermore, the Plan of Organization Committee interprets this language to require exigent circumstances only in cases in which access to the facility is prevented by inclement weather, a local, state, or national emergency, a pandemic or other act of God, or the venue preventing access (such as by rescinding the party’s registration). These exigent circumstances must be wholly out of the party’s control.

Moreover, in the event that the County Chairman or Executive Committee fails to convene the duly called Convention due to circumstances other than the State Plan of Organization allows, there is established precedent in similar circumstances that the NCGOP shall convene said Convention.

This opinion was adopted unanimously by the State Plan of Organization Committee on March 16th, 2023.

State Plan of Organization Opinion 2023-003
**RE: Interpretation of the word “mailed” in Section X.A.3
of the Plan of Organization**

Background: This matter is before the Committee pursuant to the Plan of Organization, having questions raised to the Plan of Organization Committee Chair and the State General Counsel concerning the interpretation of the word “mailed” in Section X.A.3. Present at the meeting on April 15, 2023 was Michael Magnanti, Vice Chair of the Granville County Republican Party. Mr. Magnanti asked the committee to determine that “e-mailed” was encapsulated by the word “mailed” in Section X.A.3 of the Plan of Organization.

Decision of the Plan of Organization Committee Chair and State General Counsel Appealed From: The word “mailed” in this section of the plan means United States Mail and does not include email.

Questions Presented:

Does the word “mailed” in Section X.A.3 of the Plan of Organization include e-mail?

Opinion of the Committee:

It is the opinion of the Committee that the word “mailed” in Section X.A.3 means United States Mail and does not include e-mail.

In support of this determination, the Committee notes that United States Mail is the most common meaning of the word “mailed,” and that it was the intention of the Convention that the word mail mean United States Mail at the time of the adoption of the provision. As the Plan otherwise references e-mail, the absence of the word “e-mail” in this Section buttresses the interpretation that the word “mailed” means United States Mail.

Accordingly, for a proposal to amend the Plan of Organization to be considered timely, it must be mailed, via U.S. Mail, to the members of the Executive Committee as provided for in the Plan.

This opinion was adopted unanimously by the State Plan of Organization Committee on April 15th, 2023.