



**Pat Mullins, Chairman**  
*www.rpv.org*  
**OFFICE OF GENERAL COUNSEL**

**Lee E. Goodman**  
Lee.Goodman@LeClairRyan.Com  
(202) 659-6730

**Chris Ashby**  
Chris.Ashby@LeClairRyan.Com  
(202) 659-6706

December 10, 2009

Mr. Anthony Pasciuta, Jr.  
Chairman  
Charlotte County Republican Party Committee  
9838 Craftons Gate Highway  
Drakes Branch, VA 23937

Via Email

Re: General Counsel Opinion Request

Dear Chairman Pasciuta:

You have requested a General Counsel's opinion with respect to the voting rights of certain officers of the Fifth Congressional District Committee, in light of the language of Article IV, Section A, Paragraph 7 of the Republican Party of Virginia's Plan of Organization ("Party Plan"), which states:

The membership of each District Committee shall consist of the following: 7. Vice Chairmen, a Secretary and a Treasurer may be elected by the District Committee. They may be elected members of the District Committee, but they shall not otherwise be entitled to vote solely by virtue of holding any of such offices.

That provision was the subject of a General Counsel's opinion dated June 19, 1998 (attached), which is binding upon the Party and this General Counsel. The 1998 General Counsel opinion concluded that the provision does not prohibit District Committees from providing voting rights to such officers in District Committee plans and bylaws. In other words, in the absence of an express grant of voting rights by a District Committee, the designated officers are not entitled to vote merely by virtue of holding their offices. However, the Party Plan provision does not prohibit District Committees from expressly granting such voting rights. If a District Committee expressly grants voting rights to such officers, then they have valid voting rights by virtue of that official grant.

Article II of the Bylaws of the Fifth District Republican Committee (attached) expressly grants voting rights to each officer who is the subject of your inquiry. Therefore, under the binding interpretation of the 1998 General Counsel opinion, each Vice Chairman, Secretary and

Mr. Anthony Pasciuta, Jr.  
December 10, 2009  
Page 2 of 2

Treasurer of the Fifth Congressional District Committee has a valid voting right in District Committee matters.

Pursuant to Article X of the Party Plan, this General Counsel opinion is appealable to the Appeals Committee and/or the State Central Committee.

Sincerely,



Lee E. Goodman  
General Counsel

Attachments: June 19, 1998 General Counsel Opinion  
Bylaws of the Fifth District Republican Committee

cc: Patrick Mullins, Chairman  
Michael Thomas, First Vice Chairman  
Allison Coccia, Executive Director  
Tucker Watkins, Chairman, Fifth District Committee