



Republican Party of Virginia
www.rpv.org

April 23, 2015

Jo Thoburn, Chairman
Tenth District Committee

VIA e-mail jo@jothoburn.com

Dear Chairman Thoburn,

By e-mail message, dated April 16, 2015, you have requested an interpretation of the State Party Plan regarding voting by a Military Delegation at a Convention pursuant to Article VIII, section H of the Party Plan.

Specifically, you inquire whether “the instructed vote of the Military Members in the first round of voting for public office need(s) to be formally cast by some person at the convention, rather than being pre-printed on the tally sheet or otherwise stipulated to, by operation of the convention rules or the Party Plan?”

As the provisions of the Plan relating to military voters at conventions were adopted last December, you raise a question of first impression and no prior decisions or prior practice can guide the interpretation of these provisions. Because the Plan does not squarely address the issue you present, I am required to use my best judgment in filling the gap. The State Central Committee may wish to amend these provisions to clarify the rule in the future.

The vote of the Military Delegation should be counted regardless of whether a natural person is available to formally cast the vote. The particular method of casting the vote is not important so long as it is cast and counted.

The Plan provisions at issue manifest a clear intention that Military Members who are unable to attend a convention in person should be afforded the opportunity to vote and have their vote counted. To prevent the Military Delegation vote from being cast for lack of a natural person to cast it would vitiate these recently-adopted provisions.

The mandatory language of the Plan demonstrates this intention. “Every convention ... shall have a Military Delegation representing Military Members” Art. VIII, sec. H, para. 7. “Military Members shall be entitled to cast a Candidate Preference

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Ballot...” Art. VIII, sec. H, para. 7(b). “Those seeking to be Delegates to the Military Delegation ... shall be required to pre-file ... their preference for public office...” Art. VIII, sec. H, para. 7(c). “The Military Delegation shall be instructed to vote in proportion to the Candidate Preference Ballot results of all Military Members.” Art. VIII, sec. H, para. 7(e).

This letter constitutes a ruling or interpretation of the Party Plan pursuant to Article X. It may be appealed to the Appeals Committee or the State Central Committee.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris".

Chris Marston,
General Counsel