

Republican Party of Virginia

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Patrick M. McSweeney
General Counsel

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By electronic mail

Mr. Daniel Moxley, Chairman
Augusta County Republican Committee

Dear Dan:

You have requested my interpretation of the State Party Plan, the 6th Congressional District Republican Committee Bylaws, the Bylaws of the Augusta County Republic Committee and Robert's Rules of Order on the issue of whether a chairman of a local unit committee may simultaneously announce his or her candidacy for a public, elected office. None of those controlling rules prohibit a chairman of a local unit committee from doing so.

The three Republican documents that I reference above are silent on the issue. Robert's Rules do not directly address the issue, but do define the specific duties of a presiding officer, when and whether he or she may participate in debate and whether he or she may vote. Robert's Rules also require that "[t]he chair should always be courteous and fair, but at the same time he should be firm in protecting the assembly from imposition" and advises that "no rules can take the place of tact and common sense." Other than these general instructions, Robert's Rules require only that a chairman "not enter into discussion of the merits of pending questions (unless, in rare instances, he leaves the chair until the pending business has been disposed of...)" and provide that "[t]he presiding officer, if a member of the assembly, can always vote in the case of a ballot at the time other member do." For the same reason that a chairman may not participate in debate on a pending question without relinquishing the chair, he or she may not make a motion while occupying the chair.

My interpretation is strictly confined to the question you raise concerning the legality of serving a chairman and a chairman's simultaneous pursuit of the Committee's nomination for a public, elected office.

Very truly yours,

/s/

Patrick M. McSweeney

cc: RPV Chairman
RPV Executive Director

