

Tompkins County Republican Party
Chairman, James Drader; Secretary, Natalie Miller;
Counsel, Henry S. Kramer
1524 Ellis Hollow Road, Ithaca, NY 14850
(607) 275-3635, ConsultKramer@twcny.rr.com

June 11, 2013

Elizabeth Cree, Tompkins County Election Commissioner (R)
128 Buffalo Street, Ithaca, NY 14850

N.Y. State Board of Elections
40 North Pearl St., Suite 5
Albany, New York 12207-2729

Re: New Bylaws, Tompkins County Republican Party

On June 3, 2013, the enclosed bylaws were adopted by a unanimous vote of the Tompkins County Republican Committee on the recommendation of the Executive Committee of the Tompkins County Republican Committee. These bylaws were reached after consultation with our Tompkins County Elections Commissioner and appropriate Party and State personnel, for guidance.

As required, we are submitting these approved bylaws to the Tompkins County Election Board and to the State of New York.

Sincerely yours, by



James Drader
Chairman

Natalie Miller
Secretary

Henry S. Kramer
Counsel

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Tompkins County Republican Bylaws, Adopted June 2013

Bylaws for the Government of the Republican Party and Its Committees in Tompkins County (Adopted by Full Committee June 3, 2013 – Submitted to NY State on June 11, 2013).

County Committees and Their Organization

Unit of Organization

Section 1. The unit or organization of the Republican Party in the County of Tompkins shall be the election district.

Section 2. Members of party committees must at the time of their election have been enrolled Republicans. At the primaries held in each election district at which members of Party committees are to be elected, the enrolled Republicans in each election district in the County shall elect two (2) district committeepersons and those elected shall be among the members of the County Committee from the district so electing them. Committee persons need not reside in the district that elects them.

For all other publicly elected offices, they must be enrolled Republicans at the time of election or secure a waiver under Section 10b of these bylaws. Internal party offices can only be held by an enrolled Republican.

Section 3. The County Committee shall meet in the County of Tompkins within twenty (20) calendar days after election and it shall be the duty of the Secretary of the County Committee to notify each member of the County Committee by mail, telephone, or e-mail of the place of such meeting at least three (3) calendar days in advance thereof.

Section 4a. When the County Committee assembles, they shall organize by the election of a Chairperson, Secretary, and Treasurer, who may, or may not be, members of the County Committee. The County Committee constitutes the official Republican Party of Tompkins County and may appoint officers and committees as it deems necessary or desirable. Officers elected or appointed shall discharge the usual duties of their offices and any other duties the County Committee may assign or which arise out of these bylaws. The Committee and its officers shall hold office for a period of two (2) calendar years or until their successors are elected, but in no case later than the end of the next legally required organizational meeting. The Chairperson shall ex officio be a member of the County Committee (and committee person at large) and of the Executive Committee.

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Section 4b. There shall be a County Vice-Chair for towns, cities, and villages who shall be appointed by the County Chairperson after input from the town, city, and village Chairpersons. The County Vice-Chair for towns, cities, and villages shall coordinate the activities of the various local committees. The County Vice-Chair for towns, cities, and villages may act as chairperson in organizing a town or city which has no active committee and is forming a new committee. The town chairpersons may perform a similar function for villages.

Section 4c. There shall be a Vice-Chairperson for Finance who shall be appointed by the County Chair. Whenever possible, the person so appointed shall have a background in financial management.

Section 4d. There shall be up to three (3) Vice-Chairpersons at-large appointed by the County Chair and each shall be assigned a specific function or responsibility.

Section 4e. There shall be a Vice-Chairperson for elected officials, appointed by the County Chairperson from the Republican County Board or the town, city, or village boards, supervisors, or elected office holders.

Section 4f. There may be a Vice-Chair for Communications and Media.

Section 4g. There may be a Vice-Chair for the Internet and Technology.

Section 4h. There shall be a Counsel to the Tompkins County Republican Party who shall serve as Counsel to the County Committee; to the Executive Committee; and to the town, city, and village committees. Counsel is an ex officio voting member of the County Committee and of the Executive Committee.

Section 4i. There shall be a Parliamentarian appointed by the County Chairperson. The Parliamentarian shall be ex officio a member of the County Committee and the Executive Committee. The Parliamentarian need not be a resident of Tompkins County.

Section 4j. The immediate past County Chairperson and any prior County Chairperson may be ex officio members of the County Committee and of the Executive Committee if each is so appointed by the current Chairperson, so long as resident in Tompkins County.

Section 4k. The County Chairperson may from time to time appoint up to a maximum of three (3) Assistants to the Chairperson officers who shall be ex officio voting members of the Executive Committee and non-voting members of the full County Committee, to recognize meritorious service and contributions to the Republican Party. These positions shall not count toward determining a quorum if they are unfilled.

Section 4l. Unless otherwise noted, the term "local committee" shall mean a town, city, or village Republican Committee. The Republican Party is a "big tent,"

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accordingly any enrolled Republican may participate in a local committee, provided however that to avoid becoming unworkably large, local committees may establish their own executive committees.

Nothing herein shall prohibit the independent organization of "Friends of the Republican Party" (FRP) groups through which a local committee may require a new member to pass, unless duly elected as a committeeperson, before joining a committee. FRP groups are not officially linked with the Republican Party, may have members from other parties, are not governed by these bylaws, and are responsible for their own compliance with campaign finance laws.

A person, other than one duly elected in a primary, such as one selected to fill a vacancy or an officer ex officio, may be denied membership in a local committee if that committee deems their membership not to be in the best interests of the Party due to conflict of interest or recent membership in, or support of, opposing political parties or their candidates. But, generally, it is the intent of the Party to welcome new members.

Section 4m. These bylaws are applicable in relevant part to the full County Committee, to the County Executive Committee, and to all town, city, and village committees in Tompkins County (unless a town, city, or village committee adopts its own bylaws, which to be effective must then be submitted to and approved by a majority of the town, city, or village committee and of the full County Committee, after a favorable recommendation to do so from the Executive Committee).

Section 4n. Town, city, and village committees may meet in public or in executive session.

Legislators' Committee

Section 5. Republican office holders in each house of the State Legislature, in Congress, or in the United States Senate whose districts include or fall partly or entirely within Tompkins County shall ex officio be members of the Tompkins County Republican Legislators' Committee. Members of this committee are encouraged to meet and communicate with the Party when their schedules permit.

Town, City, and Village Committees and Their Organization

Section 6. The members of the County Committee elected for each election district or ward in the towns, city, and villages, together with those duly appointed to fill election district vacancies and ex officio members of the County or town, city, or village Executive Committees in their respective residence areas shall constitute the respective town, city, or village committees.

On nomination by local committees, the full County committee may fill vacancies in election districts by resolution and vote, the person so selected must reside in the locality but need not be a resident of the district, however persons selected must be

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confirmed by resolution and vote of the full County Committee before their selection is final. Once confirmed, a person selected for a vacancy shall have the same voting and other rights as elected members of a local committee, except as provided otherwise herein.

Section 7. The County Committee persons elected for each district or ward in the respective towns, city, or villages together with ex officio members of the respective County, town, city, or village committee and those duly selected and confirmed to fill vacancies shall constitute the town, city, or village committees in their respective areas.

Within ten (10) calendar days (before or after) the reorganization meeting of the County Committee, local committees shall hold their own organizational meetings and elect a Chairperson, a Vice-Chairperson/Alternate Chairperson, a Treasurer, and a Secretary. During this ten (10) day period, if no new officers have been elected, the incumbent office holders shall continue to hold office. After the ten (10) calendar day period, if no new officers have been duly elected, the County Chairperson shall appoint interim officers for up to one (1) month at a time who shall have the same powers as duly elected officers until the interim term ends or their successors are duly elected, whichever comes earlier.

Upon election of town, city, or village officers, the secretary of the town, city, or village committee shall notify the Chairperson of the County Committee of those duly elected.

Section 8. The Chairperson of each town, city, or village committee may appoint up to two (2) persons, subject to the approval of the local committee, to the respective town, city, or village committee, for exemplary work for the Party, and these appointees shall hold the office of Assistant to the Chairperson of their local committee and be, ex officio, full voting members of their local committee, serving at the pleasure of the Chairperson and until their appointments are revoked, but not longer than the next local committee reorganization meeting, unless duly re-appointed to another term at the reorganization meeting or thereafter. Such a local committee appointment does not of itself confer the right to vote in the full County Committee unless the appointee otherwise qualifies. These positions shall not count toward determining a quorum if they are unfilled.

Section 9. From time to time, if deemed desirable, and if a town, city, or village committee considers itself large enough to warrant such action, the respective town, city, or village committee may establish a town, city, or village Executive Committee which shall have the same powers, duties, and obligations as the County Executive Committee for matters related to that town, city, or village.

Section 10. A town, city, or village committee which ceases to function may be declared defunct, or in need of reorganization, either by itself or by the County Executive Committee. Ceasing to function shall mean either: 1) a self declaration by the town, city, or village committee that it is no longer operational; or, 2) a failure of that

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committee to meet on a regular basis; or, 3) a failure by that committee to send a representative to attend at least four (4) County Executive Committee meetings within the last twelve (12) calendar months).

Committee persons elected to represent districts shall not lose their office as a result of a committee becoming defunct or in need of reorganization, but all other members of the committee, including officers and ex officio members, shall cease to fill their respective roles.

The County Executive Committee may then reorganize a new committee for that town, city, or village, including those duly elected members from the defunct committee who have not resigned and who remain qualified as members of the County Committee. The County Chairperson acting for the County Executive Committee may appoint temporary officers and fill district committee person vacancies for a period up to the next County Committee reorganization or when the reorganized town, city, or village committee is in the County Executive Committee's judgment sufficiently operational to elect its own officers (at which time reorganization shall end), whichever comes earlier. The County Executive Committee will provide supervision, guidance, and tutelage for a committee during reorganization and may delegate some or all of its authority under this section to the County Chairperson.

Petition Policy

Section 10a. The normal nomination of County, town, city, and village offices, state senators, assemblypersons, congresspersons, judicial delegates, presidential convention delegates, and committeepersons shall be by the designating petition process except where there is an interim vacancy to fill and the election law will prevail as to procedures to be used to nominate a candidate to fill that vacancy. The voting members of the County Committee from a town may adopt, by a two-thirds vote, a rule providing that party candidates for town office shall be nominated by caucus. A change in the rules governing the nomination or designation of candidates shall not apply to nor affect a primary election scheduled to be held less than four (4) months after a certified copy of the rule has been filed with the Board of Elections. After filing of such a rule, the same shall continue in force until a certified copy of a rule revoking it shall have been filed with the board at least four (4) months before a subsequent primary.

Section 10b. Pursuant to Section 6 120, NYS Election Law, any petition which designates or nominates any candidate for a Republican Party nomination at a primary election who is not at the time an enrolled member of the Republican Party shall not be valid unless the nomination or designation is authorized by members of the party committee(s) representing the political sub-division of the office for which such designation or nomination is being made.

In the case of a county wide office, such authorization shall be valid if made by the County Executive Committee.

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In the case of any local committee, such authorization shall be valid if made by a majority vote at a duly called meeting of the local committee. This is only applicable to towns and villages that nominate through the "petition and primary" process.

In such case when redistricting of the boundaries of election districts or of political sub-divisions for which officers are elected (i.e. wards and legislative districts) have caused the boundaries of the political sub-division to differ from the boundaries of the election districts included within the sub-division (i.e. current districts which committee persons currently represent) are no longer wholly contained with such a political sub-division for which candidates are to be nominated, or designated for nomination for a succeeding election, then a Party committee consisting of the County Chairperson and the Chairpersons of the Towns which are included in the sub-division shall make such Party authorization.

Meeting of the County Committee

Section 11. A notice, in writing, shall be e-mailed to each voting member (it is the responsibility of each member of the committee to provide and update an e-mail address). For those without an e-mail address, the notice will be mailed by U.S. mail or delivered in some way designed to insure receipt, specifying the time and place of holding a meeting of the County Committee, at least three (3) calendar days before the meeting. The notice shall contain an agenda of subjects that the Committee intends to and may vote upon. Nothing herein shall prohibit additional voting items from being added at the meeting.

The Chairperson of the County Committee shall have the power to call a meeting of the County Committee whenever the Chairperson deems advisable. The full County Committee shall meet at least two (2) times in each calendar year.

Section 12. The County Chairperson shall call a meeting of the full County Committee whenever requested in writing by a majority of the County Committee or a majority of the Executive Committee, which request must specify the period during which they wish this full County Committee meeting to be held. Should the Chairperson fail to call a full County Committee meeting in response within three (3) calendar days after receipt of the request by trackable verifiable delivery method, a majority of the full County Committee or of the Executive Committee, respectively, may call a meeting of the full County Committee in the manner provided herein, appending thereto the names of the members making the call.

Section 13. Except as otherwise provided by law or these rules, forty percent (40%) of the members of the full County Committee, including proxies, shall constitute a quorum at any meeting of the full County Committee. Each full County Committee member, including ex officio members at the County level, shall be entitled to cast one (1) vote on all internal Party and all other matters, except that when their function in voting is to select a nominee for public governmental office (e.g., the nomination of candidates to fill vacancies or to run in special elections, or the giving or consent to

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candidacies by non-members of the party), in accordance with *Seergy v. Kings County Republican County Committee*, 459 F.2d 308, (2d Cir. 1972), each committeeperson shall be entitled to cast weighted votes to the extent and in the manner required by law. Members who are absent may submit proxies authorizing another member of the full County Committee to cast their ballot and such proxies shall count toward the quorum. Each member of the County Committee may hold more than one (1) proxy, but may vote no more than three (3) proxies. However, at least twenty-five percent (25%) of the members of the full County Committee, excluding proxies, must be *physically* present to constitute a quorum.

Section 14. Whenever a member of the full County Committee and/or of the Executive Committee shall resign or be removed under Section 16a, the resulting vacancy shall be filled at a regular meeting of the full County Committee or the Executive Committee, respectively, by the remaining members of the full County Committee or the Executive Committee, respectively, for the unexpired term, except that ex officio members may be replaced by appointment of the County Chairperson, confirmed by a majority vote of the Executive Committee. Vacancy replacements shall have the same voting and other rights as the person they replace.

Executive Committee

Section 15a. There shall be an Executive Committee consisting of: 1) the Chairpersons of each town, city, and village committee and an alternate from each; 2) elected and Chairperson appointed officers of the County Committee; 3) the Parliamentarian; 4) County Counsel; 5) the at large Chairpersons and Vice-Chairpersons appointed by the Chairperson; 6) the Vice-Chairperson for Elected Officials; 7) the Republican Election Commissioner; and, 8) all past Chairpersons of the full County Committee still resident in Tompkins County who may be appointed to serve by the current Chairperson.

In addition, the Chairperson may appoint as non-voting members of the Executive Committee not more than three (3) other persons as the Chairperson sees fit, with the concurrence of the Executive Committee or of the full County Committee, for a) exemplary work for the Party or b) leadership of allied Republican groups such as college or young Republicans. The Chairpersons of Republican county committees adjacent to Tompkins County are invited to and welcomed to sit in on Tompkins Executive Committee meetings, as guests.

Section 15b. Meetings of the Executive Committee may be open to the public or closed executive sessions at the discretion of the Executive Committee.

Section 15c. Ten (10) members of the Executive Committee shall constitute a quorum for the transaction of business, at least five (5) of which must be physically present, but absent members may otherwise be present by providing a proxy to a member of the Executive Committee. Each member may hold one (1) or more proxies

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but not more than three (3) proxies. A majority, but a minimum of ten (10) in-person and proxy votes, is required to pass a motion.

Section 15d. The County Chairperson, County Secretary, County Treasurer, and County Counsel shall serve in the same respective positions in relation to the Executive Committee.

Section 15e. The Executive Committee shall normally meet at least one (1) time each month, but not less often than nine (9) times per year. The Executive Committee shall keep a record of its proceedings and make the minutes of meetings available to its members.

Section 15f. Between meetings of the full County Committee, the Executive Committee may speak and act on behalf of the Republican Party of Tompkins County in all respects, except as limited herein, and between meetings of the Executive Committee, the County Chairperson may do so to the extent essential and consistent with the best interests of the Republican Party or in accordance with standing or specific authority granted by the Executive Committee.

Section 15g. The Executive Committee may adopt, amend, or modify a statement of general Republican principles which, while not binding on members, or candidates, may state the core beliefs of the Party. Adherence to any principle therein shall not be a litmus test for membership in a Republican committee.

Section 15h. The County Chairperson may issue press releases and official statements on behalf of the Tompkins County Republican Party and may authorize and delegate others to do so, within the limits prescribed by the Executive Committee from time to time.

Section 15i. The Executive Committee or local committees may conduct and hold a vote of "no confidence" as to a Republican office holder whose office includes, in whole, their jurisdiction. An office holder in whom the Party votes "no confidence" should not expect the applicable committee to assist in petitions or other election activities looking toward reelection. Such votes should be reserved for those situations in which Republican office holders either consistently vote with opposing parties, or do so on issues of vital importance to the Party and its basic core principles, or unreasonably make themselves unavailable to meet with Party officers and committees.

Removals from Committees or Party Offices

Section 16a. From time to time it may be necessary to remove a committee member or a party office holder from office. This is an extraordinary procedure. The normal means for removal is a vote of the full County Committee. No one shall be removed for a difference in judgment. Removal shall be made only for acting outside the interests of the Party, such as supporting or campaigning for an opposition candidate, refusing to comply with applicable law or the bylaws, registration in an

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opposition party or acting as an agent of that party or for its benefit, or similar, serious disloyalty.

Section 16b. Only members of the county, town, city, or village committees may invoke the procedures for removal. The person making an accusation in support of removal shall have the burden of proof and must do so by the weight of the evidence.

Section 16c. The Executive Committee may appoint a Removal Committee consisting of the County Chairperson, Counsel, and up to five (5) additional elected or appointed office holders of the Executive Committee, nominated by the County Chairperson, to review a removal request. This review may be done entirely on papers, but the Removal Committee may permit an accuser to make a brief oral presentation. The accused shall have the right to submit papers in their own defense and to appear if the accuser appears before the committee and there will have the right to confront and cross examine the accuser. The accused shall be given access to the papers submitted by the accuser with sufficient time to prepare a defense. No adverse inference shall be drawn from a refusal to defend.

Section 16d. A quorum of the Removal Committee consists of a majority of its members. Proxies may be used for a determination on papers, but not if there is a personal appearance. If the Removal Committee determines by a majority of its members that there is proof by the weight of the evidence that the accused did not act "in the best interests of the party," the Committee may recommend removal to the Executive Committee. The Executive Committee may then vote to recommend removal to the full County Committee.

Only the full County Committee may remove a person from any committee or committee office and to do so a majority of the full County Committee who vote must vote affirmatively to remove. If the Removal Committee, the Executive Committee, or the full Committee vote against removal, the matter shall be dismissed with no further appeal. The County Chairperson shall preside over all meetings of the Removal Committee, guided by Counsel. In egregious cases, the County Chairperson may expedite the process of removal as much as practical, while preserving due process.

Section 16e. Since a vote of the full County Committee is the preferred method of removal, a person invoking Section 16 must first exhaust their internal remedies at the town, city, or village committee level, unless the person can satisfy the Removal Committee and the full County Committee that such action would automatically have been futile.

Caucuses

Section 17a. All party nominations of candidates for elective village offices shall be made at party caucuses to be called in conformity with New York State election law.

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Section 17b. If there is no separate village committee, the Chairperson of the relevant town committee, or designee, shall call all village caucuses for the nomination of village officers.

In the event the town chairperson authorized to call village caucuses does not call them within ten (10) calendar days of the time when village elections are required by law to be filled, the caucus may be called by any qualified Republican elector within the affected village, provided the elector does so upon authorization of the County Chairperson. Notice of caucus shall be posted or published as soon as possible after notice has been given of the failure to make the call by the town chairperson.

Section 17c. All caucuses shall be conducted in accordance with the pertaining articles of the State Election law.

Section 17d. When a candidate withdraws after petitions close, dies, changes to another party, or otherwise become unavailable, and when it is still lawful to hold caucuses to select a replacement candidate, in the absence of a vacancy committee, the Party may select its candidate for any office in Tompkins County in accordance with the election law pertaining to caucuses.

Party Endorsement

Section 18. It is generally the party's position not to endorse a candidate prior to a primary when it is known that a primary is likely to occur.

However, when no primary contest is anticipated and the party has no reason to believe there will be a primary contest, not more than one (1) calendar year before the first day to circulate petitions for party designations, the full County Committee, or the party unit representing the unit of representation for which a candidate is to be elected, may meet for the purpose of considering party endorsement of such candidate(s). A majority of the members of the party unit affected, in person, or by duly executed proxy, shall constitute a quorum at such meeting. Voting on the question of party endorsement shall be by roll call (by weighted voting). Two-thirds of the votes cast in person or by proxy shall be required to endorse a candidate as the official party choice. Such endorsed candidate will receive as much of the Party's help as is legally permissible, from the date of the endorsement. If the party's endorsed candidate loses in a primary, should there be one, it will be the party's obligation to help the winner in all respects.

Otherwise, it is the policy of the Tompkins County Republican Party not to endorse candidates in contested primaries, whether or not one of the primary contestants is an incumbent, and of the Party and its committees not to work for one candidate or another. Nothing herein shall prohibit individual Republicans from working for the candidates of their choice or encourage or discouraging others from voting for, or supporting, a primary candidate.

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Terms of Office

Section 19. The terms of all County Committee positions elected at a primary election will end at the next primary election, as provided in Election law. The terms of officers and ex officio members of the County Committee will end on the reorganization meeting of the full County Committee following the primary in odd numbered years, upon selection of their successors for those offices which are mandated or retained by the full Committee, but no later than the end of the mandated reorganization meeting. However, nothing herein shall prohibit the Chairperson from removing an appointed officer before the expiration of a term or deleting an appointed position not mandated by these bylaws.

Parliamentary Rules

Section 20. All meetings of party committees shall be governed by Roberts Rules of Order Newly Revised. All actions of committees shall be taken by resolution and vote, however failure to follow precisely Roberts Rules shall not invalidate actions taken by resolution and vote if there is no material violation of due process.

Section 21. Proxy voting shall be permitted at any and all duly called meetings of the full County Committee, the Executive Committee, or any town, city, or village committee, except as specifically limited herein or in town, city, or village separate bylaws. Voting by proxy will be done as follows: Any committeeperson may designate in writing the name of some other enrolled Republican, who need not be a committeeperson, to cast that committeeperson's vote at a meeting of the county, executive committee, town, city, or village committee. A person may hold more than one (1) proxy, unless otherwise restricted in these or other applicable separate bylaws. Proxies shall count toward a quorum, a quorum is a majority of the voting members, however no quorum shall be deemed to exist unless at least forty percent (40%) of the voting members of a committee are present including proxies and at least twenty-five percent (25%) are physically present, unless provided otherwise in these bylaws.

Amendment of Rules

Section 22. These bylaws may be amended by a majority vote of the committeepersons present at, or present by proxy, at a duly constituted meeting of the full County Committee at which there is a quorum, upon recommendation to do so from the Executive Committee. A copy of the proposed amendment shall be sent or attached to notice of the meeting (which may be sent by e-mail when the party has an e-mail address) not less than five (5) calendar days before such meeting. It shall be the responsibility of each committeeperson to supply the party with an e-mail address if they have one. If not, the person will be notified by U.S. mail or other trackable system.

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Items Not Covered

Section 23. The County Chairperson may interpret these bylaws and will consult with Counsel as to their meaning. Items and situations not specifically covered herein will first be handled in accordance with applicable state law and Board of Elections rules and regulations. Items not covered by law will be handled, to the extent known, in accordance with the spirit and intention of these bylaws.

Severability

Section 24. Should any portion of these bylaws be deemed invalid by any new legislation, court, board, or agency, federal or state, action or interpretation, or by future changes in election law, the relevant declaration shall be applied to the relevant portion of these bylaws only. The remainder of these bylaws shall remain in full force and effect.

Legal Compliance

Section 25. Should any provision of these bylaws be superseded by state or federal law or final controlling decision of any court, board, or agency, the applicable portions of these bylaws in conflict shall be invalid and these bylaws deemed automatically amended to conform with applicable state or federal law.