



**RESOLUTION:
CCRP R2023.0001**

SUPPORT OF C.C. ELECTION COMPLAINT

Passed Unanimously by the Carbon County Republican Party on 24th of June 2023 and submitted for consideration of adoption to the State Central Committee of the Wyoming Republican Party.

Whereas, Title 22 creates “Major” and “Minor” political parties defined as “(xvii) "Major political party" means a political organization whose candidate for any one (1) of the offices of the United States house of representatives, governor or secretary of state, received not less than ten percent (10%) of the total votes cast for that office in the most recent general election; (xviii) "Minor political party" means a political organization whose candidate for any one (1) of the offices of the United States house of representatives, governor or secretary of state, received not less than two percent (2%) nor more than ten percent (10%) of the total votes cast for that office in the most recent general election”; and

Whereas, Title 22 CHAPTER 4 - POLITICAL PARTIES, ARTICLE 1 - MAJOR POLITICAL PARTIES 22-4-101. Application; composition, election and qualifications of county central committees; certificate of election. (a) This article is applicable only to "major political parties"." making Title 22-4-111 applicable to all major political parties in Wyoming; and

Whereas, Title 22-4-111 statutorily requires “The state central committee shall hold an organizational meeting in odd-numbered years, at which it shall elect from electors registered in the party a chairman, secretary and other officers as provided in the rules of the party. The state chairman shall mail notice of the time and place of this meeting to each member of the committee not later than ten (10) days before the meeting.”; and

Whereas, House District 16 Representative and Minority Floor Leader states to Cowboy State Daily, “Another Difference is Democrats hold their Chairman Elections every four (4) years, while Republicans do it every two (2)”; and

Whereas, an Election Complaint was provided to the Carbon County Republican Party by a Republican constituent of Carbon County precinct 11-01 and is an addendum to this resolution that contains:

Recently the Wyoming Supreme Court ruled that political parties “cannot expand on state law or make their own interpretations of how it’s written.” and “can’t circumvent state law through their own rulemaking.”

With consideration of the statute and the Court’s ruling respectively, the issue of Political Equality as defined in the Wyoming Constitution must also be considered: “Art I, Sec. 3. Equal political rights - Since equality in the enjoyment of natural and civil rights is only made sure through political equality,





the laws of this state affecting the political rights and privileges of its citizens shall be without distinction of race, color, sex, or any circumstance or condition whatsoever other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction.”

Seeing as there is no known individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction currently recognized as effecting any of the individuals participating in the rulemaking process for the Wyoming Democrat party or the Wyoming Republican Party then this afore mentioned statute should be applied equally to members of both organizations as to ensure the equal political rights of all members of each party.;

NOW, THEREFORE, BE IT RESOLVED, The Carbon County Republican Party supports the formal election complaint provided and further supports the issue of the Wyoming Democrat Party State Chairman Election practice be investigated and addressed so that the State Statute, Constitution, and Supreme Court decision are being equally considered and applied to all Political Parties major and minor; and

BE IT FURTHER RESOLVED, The Carbon County Republican Party demands that State Statute - Title 22, Chapter 4, Article 1 and Article 3 are either amended, clarified, combined, or repealed to ensure the independent and equal operation of all political parties in accordance with the recent Wyoming Supreme Court decision in case number S-22-0210.

Paul Metevier
Chairman, Carbon County
Wyoming Republican Party
307.922.6213





Wyoming Secretary of State

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Suites 100 and 101 122
West 25th Street
Cheyenne, WY 82002-0020
Ph. 307.777.5860
Email: Elections@wyo.gov

Wyoming Election Code Violation Complaint Form

This form may be used and filed with the secretary of state when any person believes a violation of the Wyoming Election Code by any statewide or legislative candidate, committee or organization has occurred. The form may also be used and filed with the county clerk when any person suspects a violation of the Wyoming Election Code by any county or municipal candidate, committee or organization has occurred. Please see W.S. § 22-26-121.

1. Printed name of person making complaint:

Address:

Telephone number:

E-mail address:

2. State the facts of the alleged violation including date, time, place and relevant actions of people involved:

In a May 9th article from Cowboy State Daily titled “Jackson Democrat Mike Yin Was A Blue Dot In a Sea Of Red At State GOP Meeting” Representative Yin was quoted as saying “Another difference is Democrats hold their chairman elections every four years, while the Republicans do it every two.”

W.S. 22-4-111 states “The state central committee **shall** hold an organizational meeting **in odd-numbered years**, at which it **shall elect from electors registered in the party a chairman...**”

Recently the Wyoming Supreme Court ruled that political parties “cannot expand on state law or **make their own interpretations of how it’s written.**” and “**can’t circumvent state law through their own rulemaking.**”

With consideration of the statute and the Court’s ruling respectively, the issue of Political Equality as defined in the Wyoming Constitution must also be considered:

“Art I, Sec. 3. Equal political rights - Since equality in the enjoyment of natural and civil rights is only made sure through political equality, **the laws of this state affecting the political rights and privileges of its citizens shall be without distinction** of race, color, sex, or any circumstance or condition whatsoever **other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction.**”

Seeing as there is no known individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction currently recognized as effecting any of the individuals participating in the rulemaking process for the Wyoming Democrat party or the Wyoming Republican Party then this

afore mentioned statute should be applied equally to members of both organizations as to ensure the equal political rights of all members of each party.

I believe the Wyoming Democrat Party practice of electing its State Chairman every 4 years is a violation of W.S. 22-4-111 as it is written and is another case of a political party **expanding on state law, making their own interpretations of how it's written, and circumventing state law through their own rulemaking.**

I also believe that even though this practice by the Wyoming Democrat Party may be a violation of election code as well as an infringement on the Political Equality provision of the Wyoming State Constitution, I do not believe it is an intentionally criminal act.

More realistically, this seems to be another instance of issues that are arising more frequently due to the unclear language and unequal regulation of political parties contained in Title 22, Chapter 4, Article 1 (Major Political Parties) and Article 3 (Minor Political Parties).

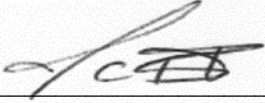
The fact that two separate statutory designations (Major and Minor Political Parties), along with differing regulations and requirements granting rights and restrictions to some but not all, exist for political parties in Wyoming without any **documented individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction of each Political Party's individual members** is in of itself a violation of the Political Equality provision of the Wyoming State Constitution as it creates a process where the individual members of the electorate are granted rights or restrictions on their political activities solely based on political affiliation and not with any **documented individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction**, which are the only two determining factors that the laws of this state may address to affect the political rights and privileges of its citizens.

I am requesting that the issue of the Wyoming Democrat Party State Chairman Election practice be investigated and addressed so that the Statute, Constitution, and Supreme Court decision are being equally considered to all Political Parties.

I would prefer that the intent and focus of the investigation not to be a chastising or conviction of the Wyoming Democrat Party but instead to lead to an understanding of the lack of clarity, unconstitutional inequality, and gross hypocrisy that exist in Title 22, Chapter 4, Article 1 (Major Political Parties) -vs- Article 3 (Minor Political Parties) and hopefully lead to a revision of the statutes to properly reflect the provisions of our State Constitution and finally, through clear and concise language in statute, grant actual Equal Political Rights to all members of all political parties in Wyoming while also allowing equal enforcement, protection of, and protection from, the law.

I am available to answer questions and provide clarity as to my concern, intent, and vision of how this can be accomplished as I cannot state strongly enough that this investigation should not be a witch-hunt of Democrats, nor should it be a damming of one political party, but a path to clear understanding, equal regulation, and proper constitutional protection of all political parties and more importantly of the Constitutionally recognized and protected members of the electorate that populate them.

3. If the secretary of state, or county clerk, as appropriate, finds this complaint has merit and suspects a violation of the Election Code, the secretary of state, or county clerk, shall refer the complaint to the Wyoming attorney general, or district attorney, for investigation and prosecution.

A handwritten signature in black ink, appearing to be "J. C. B.", is written over a light gray rectangular background.

Signature of Person Filing Complaint



"In our political party system, we're sort of on an adversarial basis, especially when it comes to election years," Yin said. "I don't think it's my place to come to every meeting, but I thought it was an interesting one to attend when it was so near me."

One key difference Yin noticed between the way state Republicans and Democrats conduct their meetings is that his party lets state legislators and any of their statewide officials vote as part of their central committee, while the Republicans do not.

Another difference is Democrats hold their chairman elections every four years, while the Republicans do it every two.

"Observing that all was very worthwhile," he said.



22-4-111. State central committee organizational meeting;
notice.

The state central committee shall hold an organizational meeting in odd-numbered years, at which it shall elect from electors registered in the party a chairman, secretary and other officers as provided in the rules of the party. The state chairman shall mail notice of the time and place of this meeting to each member of the committee not later than ten (10) days before the meeting.