

While Reading Information in this presentation, ASK YOURSELF:

If any officer takes action that, on its face, is either incompetent or not compliant with his/her duty to the Party, does the body of delegates have a duty to intervene to protect the Party?

Do State Convention Delegates, State Central Delegates and the members of State Executive Committee have a fiduciary duty to the PARTY and its MEMBERS?

Can delegates KNOWINGLY allow Party to file a document with the state that is not true?

Do you trust the DFL to act in the best interests of the Republican Party?

- Has the DFL done a SINGLE THING to support the interests or platform of the GOP?

Why would the DFL pass a statute they did not intend to utilize to their advantage?

- Would the DFL try to strip the DFL of Major Party Status?

- Other than the MNGOP, which Major Party is an actual threat to the DFL?

Would/Could the DFL use this issue to say they are DEFENDING THE REPUBLICAN VOTERS FROM BEING HARMED BY MNGOP LEADERSHIP to actually destroy the Party?

-What narrative would be reported in the papers / on the news?

-If the SCC fails to demand corrective action immediately, is that inaction derelict?

Plain Language of Constitutions, Statutes & Rules

- The MNGOP must comply with the plain language of the Federal, State & Party Constitutions, Federal and State Statutes and Federal, State and Party Rules.
- The Court must apply a plain language interpretation to all applicable Constitutions, Statutes and Rules.
 - **Take note: when the plain language leads to a result inconsistent with the position of the DNC/DFL, the People have observed a too often failure of the Courts across the country to abide by this clear requirement HOWEVER when the plain language supports the position of the DNC/DFL we should be CONFIDENT every Court will apply a plain language interpretation to the matter that is presented.**
- The Body of State Central and the State Convention each have the right to act within the bounds of the Federal & State Constitutions & Laws & the bounds of the Party Constitution & Rules.
- The Party cannot commit fraud or create duress to manipulate outcomes at meetings of any body.
- There is no way to know with 100% certainty how the MNSOS or MNAG would handle complaints related to the Party's violation of the law: Voter's rights are FOUNDATIONAL and the Party is BOUND by Minnesota Statute to comply with ALL election laws.
- The Party is NOT: a business or a fraternal organization.
- The Party IS: a creation of government required to follow the rules of its filed constitution to ENSURE the PEOPLE have a voice in every aspect of the political process because without that, our government can not/does not truly function with the consent of the governed.
- The MNGOP must comply with its constitution & the will of its members, as defined by the Party Constitution.

2023
MN Statute
200.02
Definitions
Subd. 7
"Major
Political Party"

200.02 DEFINITIONS.

Amendments to subd. 7 are effective the day following enactment (May 23, 2023) and applies to major party status for elections held in 2024 and thereafter. The December 1, 2023, certification of a political party that is recognized as a major political party as of the effective date must include certification that the party was in compliance with paragraph (a) during the most recent state general election year.

Subd. 7. **Major political party.** (a) "Major political party" means a political party that maintains a party organization in the state, ~~political division or precinct in question and that has presented;~~ has complied with the party's constitution and rules; is in compliance with the requirements of section 202A.12 and 202A.13; files with the secretary of state no later than December 1 of each odd-numbered year a certification that the party has met the foregoing requirements, including a list of the dates and locations of each convention held; and meets all other qualification requirements of this subdivision.

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The Party must have:

- **COMPLIED with its constitution and rules**
- ***Be in compliance with the requirements of**
 - **MN Stat 202A.12**
 - **MN Stat 202A.13**
- **File a certification that it has COMPLIED with each of these requirements by December 1, 2023.**

(e) A major political party that does not submit the certification required by this subdivision loses major party status on December 31 of the year in which the party did not file the certification.

(f) The secretary of state must notify the chair of the major political party, the commissioner of revenue, and the Campaign Finance and Public Disclosure Board if the political party's status is changed pursuant to this section.

Filing a false certification is not compliance: It is fraud.

***The Party must ALWAYS comply with statutes.**

Flow of power of the MNGOP:

Statutory AND Constitutional

The State Convention

Consists of the DULY ELECTED delegates of the BPOUs & Affiliates (Art VI, Sections 1 A&B)
& is THE CONTROLLING BODY of the Party (MN Statute 202A.12, Constitution Art IX, Section 1, A.)

& as such has the SOLE Power to adopt & amend the Party Constitution (Art XV, Section 2)

**The State Convention must meet in every general election year AND as called
by the State Central Committee as it deems necessary.**



The State Central Committee

is SUBJECT TO THE CONTROL OF THE STATE CONVENTION AND THIS CONSTITUTION
(Constitution, Art IX, Section 1, A.)

And has a duty to call a special meeting of the State Convention when necessary.



The State Executive Committee (Including the Officers)

is SUBJECT TO THE CONTROL OF THE STATE CONVENTION AND STATE CENTRAL COMMITTEE

(Bylaws- Art III, Section 1)

Links related to Meeting

MN Statute 202A.12- Party Constitution & Amendments: <https://www.revisor.mn.gov/statutes/cite/202A.12>

[2022 Minnesota Statutes](#) > [ELECTIONS](#) > [Chapter 202A](#) > Section 202A.12

◀ [202A.11](#)

2022 Minnesota Statutes

202A.12 STATE CONVENTION, AUTHORITY OF.

Subdivision 1. **Time of convention.** The final authority over the affairs of each major political party is vested in the party's state convention to be held at least once every state general election year at the call of the state central committee.

Subd. 2. **State central committee.** Subject to the control of the state convention the general management of the affairs of the state party is vested in the party's state central committee.

Subd. 3. **State executive committee.** The state executive committee of the party shall have charge of the administration of the party's affairs, subject to the direction and control of the state convention and the state central committee.

Subd. 4. **Constitution, filing.** The chair of the state central committee of each party shall file with the secretary of state a copy of the party's constitution and all amendments to the constitution as they are enacted.

◀ 1075 5 2 1081 30 17 38 1086 111

Subd. 1:

The final authority over the affairs of the party is VESTED IN the State Convention- not the Chair or the State Executive Committee.

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Statutory AND Constitutional

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◀ 1075 5 2 1081 30 17 38 1086 111

Subd. 2:

**The State Central Committee is subject to the control of the
STATE CONVENTION**

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◀ 1075 5 2 1081 30 17 28 1086 111

Subd. 3: The State Executive Committee (which includes officers) is subject to the direction and control of the STATE CONVENTION & the State Central Committee

This means the State Exec Committee and officers can NOT interfere with efforts of the SCC Delegates to engage in oversight. That would be noncompliance.

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**Subd. 4: The Chair of the State Central Committee SHALL file
With the MNSOS**

**A copy of the party's constitution and ALL amendments
AS THEY ARE ENACTED.**

**This has NOT happened:
The documents filed prove noncompliance and persons could
allege the appearance of fraud because of the impossible dates.**

On August 28, the Chair submitted a misdated cover letter attached to the amendments passed on May 2022. On August 29, 2023 he resubmitted the document, now INTENTIONALLY dates 2/1/23- indicating that this document was submitted to the MNSOS on 2/1/23.



Republican Party of Minnesota

7400 Metro BLVD, Suite 424 · Edina, MN 55439
Office: 651-222-0022 · Web: www.mngop.org

2-1-22

To Whom It May Concern,

I, David Hann, Chair of the State Central Committee of the Republican Party of Minnesota, submit the most recent party constitution and by-laws that govern the operation of the Republican Party of Minnesota and its sub-units and affiliates. Please don't hesitate to contact me with any questions.

Regards,

David Hann
Chair



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Regards,

David Hann
Chair

Document Number: 237917
Filed on August 29, 2023
Office of the Minnesota
Secretary of State, Steve Simon

The filing submitted 8/29/23 that is intentionally dated 2/1/23 has an addendum dated 8/11/23...



Republican Party of Minnesota

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In May 2022, the State Convention voted to approve amendments as a block, under duress, because of time constraints imposed by the Party. The minutes of the meeting are misdated.

The documents submitted to the MNSOS clearly indicate it is an amended constitution.

The underlying constitution was not adopted in May so the amendments would be presumed to amend the constitution already on file- from 1988.

AND the letter of submission is dated 6 months prior to the addendum

ADDENDUM TO THE BYLAWS Affiliate list certified at May 2022 State Convention

MN Federation of Republican Women
MN Asian-American Republicans
MN African-American Republicans
Minnesota Young Republicans
Republican Seniors
Republican Liberty Caucus of Minnesota
MORVets
Republican Labor Affiliate
Log Cabin Republicans
American Indian Republicans
College Republicans
Hispanic Republican Assembly

(Edit: Aug. 11, 2023 to correct an affiliate name)

Document Number: 237917
Filed on August 29, 2023
Office of the Minnesota
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- The Democrats:
- passed the amended statute 200.02 in mid-May
- amended their own constitution on May 30, 2023
 - Language in their constitution fixes issue of other constitutions:

“This constitution supercedes any and all other previous constitutions...”

- This constitution is not yet on file with the MNSOS. We will continue to monitor their compliance, as well.

shall be established by the central committee having jurisdiction.

Section 5. Operations of Electoral Jurisdictions.

Each electoral jurisdiction shall conduct its operation in accordance with the provisions of this Constitution and Bylaws, including the general rules and policies in Article III hereof.

**ARTICLE XI
AMENDING PROCEDURES FOR
CONSTITUTION**

This Constitution may be amended by a majority vote of the delegates at any State Convention of the Democratic-Farmer-Labor Party. Amendments will take effect upon adjournment of the Convention at which it was adopted.

**ARTICLE XII
BYLAWS**

Section 1. State Constitution Bylaws.

Bylaws concerning matters not expressly governed by nor in conflict with this Constitution may be adopted or amended by majority vote of the State Convention.

Bylaws may be adopted or amended by the State Central Committee provided such changes receive an affirmative vote of 60 percent of those present and voting at the meeting. A copy of the proposed changes in Bylaws shall be included in the meeting notice of the State Central Committee.

Section 2. Local Unit Bylaws.

A unit may adopt bylaws concerning matters not expressly governed by nor in conflict with this Constitution and Bylaws and the unit's constitution, even if the unit has not adopted a constitution. Bylaws may be adopted or amended by a majority vote of the unit convention or by a 60 percent affirmative vote at a meeting of the unit central committee. A copy of any proposed changes in the bylaws must be included in the central committee meeting notice.

**ARTICLE XIII
PARLIAMENTARY AUTHORITY**

All matters not governed by this Constitution and its Bylaws, the Rule Book, the Official Call currently in effect, by convention rules or by law shall be

governed by the current edition of *Robert's Rules of Order Newly Revised*.

**ARTICLE XIV
NEW CONSTITUTION**

This Constitution supersedes any and all other previous constitutions of the Minnesota Democratic-Farmer-Labor Party.

Bylaw Proofs of this Constitution and Bylaws shall be reviewed by the co-chairs of the Constitution, Bylaws, and Rules Committee prior to publication.



The Party is NOT in Compliance and Should Adopt a new Constitution ASAP

ARTICLE XV

Constitution and Bylaws, Committee and Amendments

SECTION 1: Constitution and Bylaws Committee.

The Constitution and Bylaws Committee shall consist of a chair, and two (2) persons from each Congressional District. The Chair shall appoint the chair of the Constitution and Bylaws Committee. The Congressional District representatives shall be appointed by the Congressional District chair(s), or in the event of a dispute between the chairs regarding the appointment, by the Congressional District Executive Committee.

The Constitution and Bylaws Committee shall give consideration to and may propose appropriate amendments and/or revisions of the Constitution to the state convention. The Constitution and Bylaws Committee shall also give consideration to and propose appropriate amendments of the bylaws to the State Central Committee. One third of the committee members shall constitute a quorum.

Any member of the Constitution and Bylaws Committee shall have the privilege of addressing the State Convention or the State Central Committee when any report of the Constitution and Bylaws Committee is being considered.

SECTION 2: Amendments to the Constitution.

This Constitution may be amended by a majority vote at any State Convention, provided that any proposal for amendment shall be referred to the State Constitution and Bylaws Committee and reported out of said committee. Any minority report shall be signed by at least one-third (1/3) of committee members before it shall be submitted to the Convention. Proposed amendments must be posted to the Party website at least five (5) days before the Convention.

The Party Constitution has no provision allowing for the adoption of a new constitution.

Art XV, Section 2 allows for amendment by majority vote at any State Convention, PROVIDED THAT ANY PROPOSAL FOR AMENDMENT BE REFERRED TO AND OUT OF The Constitution Committee.



1988 Constitution:

<https://www.lrl.mn.gov/sos/file?fileno=38247>

Chapter 62—H.F. No. 1830:

<https://www.revisor.mn.gov/laws/2023/0/62/laws.4.9.0#laws.4.9.0>

2023 MN SOS Election Laws Manual:

<https://www.sos.mn.gov/media/5067/minnesota-election-laws-statutes-and-rules.pdf>

Official Document Request Form- MN SOS:

<https://www.sos.state.mn.us/media/4576/official-document-request-form.pdf>

As an FYI, there were GOP constitutions or amendments filed in 1960, '65, '67, '71,'72, '75, '86, '88 & '95.

Official Document Request Form



Office of the Minnesota Secretary of State
Steve Simon

Official Document Request Form

All government data collected, created, received, maintained or disseminated by a state agency, political subdivision, or statewide system shall be public unless classified by statute, temporary classification or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential.

Note: While certain types of documents may have a statutory requirement that they be filed with the Secretary of State, this office has no statutory authority to seek out documents that have not been filed.

Date of Request: _____

Requestor:

Optional but needed if documents are to be sent to requestor.

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____ Email: _____

Document(s) Requested:

___ **Oath** ___ **Appointment**

Office Holder/Office/Year Elected: _____

Appointee/Office/Year Appointed: _____

Judicial District (if applicable): _____

___ **Business Trusts**

Document Number: _____

Copy of the Trust _____ (\$3.00 per copy) Certificate

of Existence _____ (\$5.00 per Certificate)

___ **Other** (please specify): _____

Fees (per M.S. 5.12 subdivision 1):

Copies Only: \$3.00 per document = _____ **Total = \$** _____

Certified Copies: \$8.00 per document = _____ **Total =** _____

(\$3.00 for the document and \$5.00 for the Certification)

Business Trust Certificate of Existence \$5.00 per certificate = _____

Submit Request Form and payment to:

Official Documents
Office of the Minnesota Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Issues of Noncompliance

MN Statute 202A.12- Party Constitution & Amendments:

<https://www.revisor.mn.gov/statutes/cite/202A.12>

[2022 Minnesota Statutes](#) > [ELECTIONS](#) > [Chapter 202A](#) > Section 202A.12

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- **Subd. 1:**
- **The final authority over the affairs of the party is VESTED IN the State Convention- not the Chair or the State Executive Committee.**

Case Law

DFL v. Holm

<https://casetext.com/case/democratic-farmer-labor-sc-committee-v-holm>

"A convention has the inherent power incident to all deliberative bodies having the power to organize to judge of the election, qualifications, and returns of its own members, and its action in seating or rejecting delegates is not subject to judicial review. * * * The convention, when assembled and organized, is, as has previously been shown, the depository of all party power, and it cannot be bound or limited in its action in any way by the permanent committee in the call issued for the convention. **In the absence of statutory regulations, it has control over its own proceedings and affairs and may proceed according to party usages and customs.** The discharge of the duties imposed on the convention involves the exercise of judgment and discretion on the part of its members, and a majority of them have, **in the absence of fraud or oppression,** the right to control the action of the convention and to correct or reverse any action taken by it, and its final determination as to candidates or any other question within its jurisdiction will be followed by the courts. * * *

Democratic-Farmer-Labor S.C. Committee v. Holm, 227 Minn. 52, 61-62 (Minn. 1948)

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In 29 C.J.S., § 88, of article on Elections, the rule is stated as follows:

"Except to the extent that jurisdiction is conferred by statute or that the subject has been regulated by statute, the courts have no power to interfere with the judgments of the constituted authorities of established political parties in matters involving party government and discipline, to determine disputes within a political party as to the regularity of the election of its executive officers, or their removal, or to determine contests for the position of party committeemen or convention delegates. As elections belong to the political branch of the government, the courts will not be astute in seeking to find ground for interference, but will seek rather to maintain the integrity and independence of the several departments of the government by leaving questions as to party policy, the regularity of conventions, the nomination of candidates, and the constitution, powers, and proceedings of committees, to be determined by the tribunals of the party. Accordingly the courts will not assume jurisdiction of cases involving inquiry into the conventions of a political party. **Thus the action of a state convention** in deciding between two contesting delegations and the regularity of the state or district conventions or other meeting at which they were selected **is regarded as conclusive.**" (Italics supplied.)

Democratic-Farmer-Labor S.C. Committee v. Holm, 227 Minn. 52, 62 (Minn. 1948)

All Disputes within the Party must be resolved by the State Convention.

*This is a statutory and constitutional requirement.

Absent statutory control, fraud or duress, the State Convention has the final authority over all matters in dispute.

The State Convention could, for example, create via constitutional amendment, a committee responsible to mediate disputes.

Filing party disputes in District Court prior to attempts at remedy by the State Convention violates state and the Party constitution.

The Party filed litigation in district court that violates the statute and constitution. The litigation is currently in discovery. This is a public matter and could be an issues that encouraged the Democrats to amend MN Statute 200.02.



The Party is now ACCOUNTABLE BY STATUTE to maintain
ABSOLUTE COMPLIANCE
With its CONSTITUTION and RULES

This Statutory language
ELIMINATES
any and ALL ILLUSIONS OF
A RIGHT of ANY SUB-UNIT
To Ignore the statutes, constitutions, laws & rules
BY WHICH THE PARTY IS BOUND.



ALL bodies of the Party

MUST be in compliance with Statutes and Constitutional Provisions.

This compliance includes, but is not limited to:

Removals of Duly Elected DELEGATES

Removals of Duly Elected OFFICERS

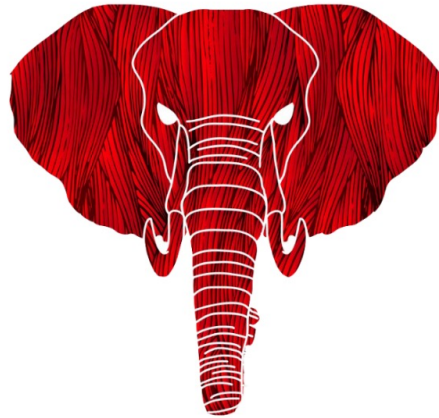
The Rights of Delegates to Call a Meeting

The Rights of Delegates to be provided with all information necessary to provide proper oversight

The PARTY IS NOT IN COMPLIANCE

**The State
Executive
Committee
MUST Comply
with The
Constitution
and Bylaws**

Republican Party of Minnesota CONSTITUTION



ARTICLE XVI General Provisions

SECTION 1: Other Constitutions and Bylaws.

Only BPOUs, Congressional Districts and Affiliates may adopt and amend a constitution and/or bylaws for its own governance. Those documents may not be inconsistent with this Party's Constitution and Bylaws.

EVERY down body of the Republican Party of Minnesota MUST:

- **ensure its Constitution and Bylaws are CONSISTENT with the Republican Party of Minnesota Constitution and Bylaws**

SECTION 6: General Provisions

State Party Executive Committee members have a duty to act in the best interest of the Party and support Party-endorsed candidates for office.

**EVERY MEMBER of the State Executive Committee must act
in the best interests of
THE REPUBLICAN PARTY OF MINNESOTA**

BYLAWS OF THE REPUBLICAN PARTY OF MINNESOTA

ARTICLE I -- Name and Location

Section 1. The name of this organization shall be the Republican Party of Minnesota (Party).

Whenever the term “Party” is used in this document, it refers to the organization the “Republican Party of Minnesota”.

ARTICLE II -- State Central Committee

Section 1. The business and property of the Party shall be managed by a State Central Committee composed of the persons specified in Article IX, Section 1B of the Party Constitution.

The State Central Committee is RESPONSIBLE to manage the business of the Party.

Section 2. Meetings of the State Central Committee may be called by the Chair or by the State Executive Committee or by twenty-five (25) percent of the Delegates of the State Central Committee who must be from no fewer than three (3) Congressional Districts. Written notice of each meeting shall be mailed or emailed to each member at least ten (10) days in advance by the Party.

The meetings of the State Central Committee may be called by THREE entities- treated equally under this section:

➤ **The Chair**

OR

➤ **The State Executive Committee**

OR

➤ **25% of the Delegates of the State Central Committee**

The Republican Party of MN MUST provide notice of the called meeting within 10 days.



BYLAWS OF THE REPUBLICAN PARTY OF MINNESOTA

ARTICLE II -- State Central Committee

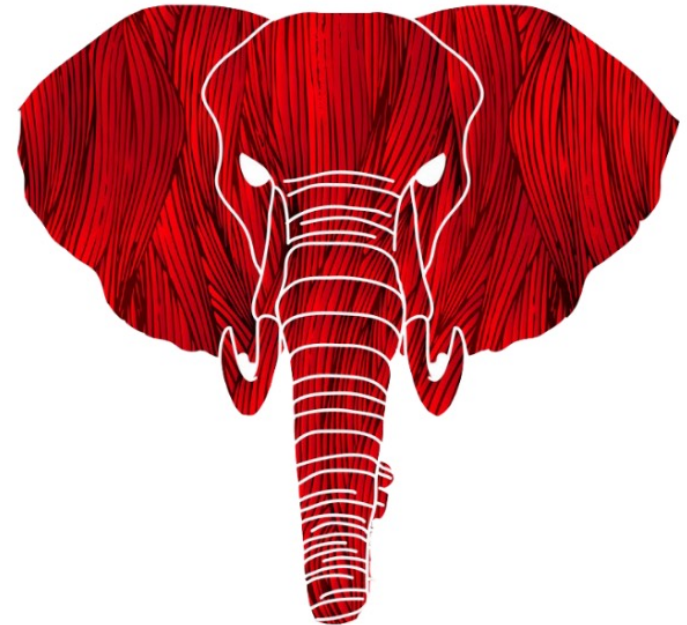
Section 2. (cont.)

A. The Party has ten (10) days to validate and acknowledge the petition to the full State Central Committee. The Party has forty (40) days to hold the meeting after receipt of the valid petition.

The petition is the call made by any one of the three entities entitled to call a SCC meeting.

The Party (i.e. The Republican Party of MN per Art. I, Sect. 1) has 10 days to acknowledge the meeting has been called whenever one of the three entities calls a meeting.

The Republican Party of MN must ensure a called meeting is held within 40 days of receiving a call from one of the three entities.



BYLAWS OF THE REPUBLICAN PARTY OF MINNESOTA

ARTICLE II -- State Central Committee

Section 2. (cont.)

B. For the purpose of calling a State Central meeting only, any Party Officer can accept the list serve agreement and provide a State Central Committee Delegate a copy of the Delegate List.

The list serve agreement created by the State Executive Committee must NOT interfere with the RIGHT of the SCC DELEGATE BODY to administer PROPER OVERSIGHT required by its FIDUCIARY DUTY.

Anytime a delegate asks for the delegate list to call a meeting, the list must be given.

C. If the State Central Committee meeting is called by a percentage of the delegation, the call must include the list of Delegates requesting the meeting containing first name, last name, and their Congressional District.

Each delegate who joins in the call the meeting must be listed in the call & that list must include the first name, the last name and CD.

This is what NONCOMPLIANCE LOOKS LIKE

< Fw: Request for delegate list AA

Cc: David Hann <dwh@mngop.com>
Subject: Re: Request for delegate list

I see that your form says the purpose for requesting the list is to "Issue a delegate call for state central committee meeting."

Unfortunately, delegates do not have the constitutional ability to issue a call for a meeting - so I cannot send you the list with that stated purpose because it is unconstitutional. Please see my email from the 29th below. Delegates DO have the ability to petition the state party for a state central meeting. If the petition meets the threshold, the party is REQUIRED to issue a call for a convention within a certain time frame.

- can you help me understand exactly what you want the list for? Delegates are not able to call a state central meeting. They can however petition the state party, and if the petition meets the threshold, then the state party is required to call a meeting. But the state party is the one who constitutionally has to issue the call for the meeting.

--
Anna Mathews
(651) 968-6293



DONT TREAD ON ME
State Central Delegates

Just a reminder that according to the agreement, you are only permitted to use this data for the purpose listed on the agreement (in this case, collecting signatures into a petition to call a state central meeting). Once the purpose of this list agreement has been accomplished (in this case, the petition has been submitted to the state party to call the meeting), then the agreement expires. If you would like to use the list for any purpose after that, a new list agreement must be requested and signed.

Per the agreement, this data also may not be shared. If there are other delegates who would like to access or use the list, they must sign the list agreement and receive the list from the state party.

Please let me know if you have any questions.

Thank you,

--
Anna Mathews
Executive Director
(651) 968-6293

A Major Political Party must comply with its Constitution and Rules.

SECTION 3: State Party Officers.

A. Composition.

The State Party Officers shall consist of the following:

1. Chair
2. Deputy Chair
3. Secretary
4. Treasurer
5. National Committeewoman
6. National Committeeman

BYLAWS OF THE REPUBLICAN PARTY OF MINNESOTA

ARTICLE I -- Name and Location

Section 1. The name of this organization shall be the Republican Party of Minnesota (Party).

Section 2. Party offices shall be located at such places as the State Executive Committee may from time to time determine.

ARTICLE II -- State Central Committee

Section 1. The business and property of the Party shall be managed by a State Central Committee composed of the persons specified in Article IX, Section 1B of the Party Constitution.

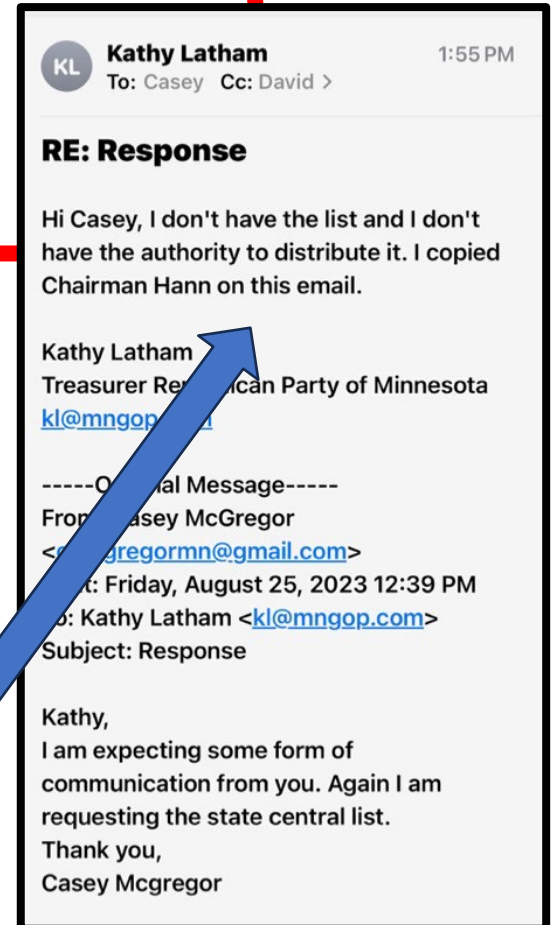
Section 2. Meetings of the State Central Committee maybe called by the Chair or by the State Executive Committee or by twenty-five (25) percent of the Delegates of the State Central Committee who must be from no fewer than three (3) Congressional Districts. Written notice of each meeting shall be mailed or emailed to each member at least ten (10) days in advance by the Party.

- A. The Party has ten (10) days to validate and acknowledge the petition to the full State Central Committee. The Party has forty (40) days to hold the meeting after receipt of the valid petition.
- B. For the purpose of calling a State Central meeting only, any Party Officer can accept the list serve agreement and provide a State Central Committee Delegate a copy of the Delegate List.
- C. If the State Central Committee meeting is called by a percentage of the delegation, the call must include the list of Delegates requesting the meeting containing first name, last name, and their Congressional District.

Treasurer=Officer

Officer can accept list agreement and provide list to Delegate for Purpose of calling a meeting

Treasurer refuses to provide the list



2022 Minnesota Statutes

202A.12 STATE CONVENTION, AUTHORITY OF.

Subdivision 1. **Time of convention.** The final authority over the affairs of each major political party is vested in the party's state convention to be held at least once every state general election year at the call of the state central committee.

Subd. 2. **State central committee.** Subject to the control of the state convention the general management of the affairs of the state party is vested in the party's state central committee.

Subd. 3. **State executive committee.** The state executive committee of the party shall have charge of the administration of the party's affairs, subject to the direction and control of the state convention and the state central committee.

Subd. 4. **Constitution, filing.** The chair of the state central committee of each party shall file with the secretary of state a copy of the party's constitution and all amendments to the constitution as they are enacted.

Response to the David Hann's Effort to Stop Delegates from Calling a Meeting to Bring MNGOP Into Compliance

- June 26, 2023 notification from the MN SOS re Party status based upon 2022 elections is NOT relevant to compliance with MN Stat 200.02 as amended
- Current listing as Major Party is NOT relevant to compliance with MN Stat 200.02 as amended
- MN Stat 202A.12 does NOT limit requirement to Minor Parties
 - The MNGOP has now proven noncompliance w/ 202A.12 by filing constitutional amendments more than a year after they were passed
 - The State Convention did NOT adopt the Constitution in 2022 so any indication that occurred would be fraudulent
- Beginning on Dec.1, 2023 ONLY Major Parties MUST submit CERTIFICATION OF COMPLIANCE with
 - Party Constitution & Rules
 - MN Stat 202A.12 and 202A.13

The MNGOP is NOT in compliance. This MUST be remedied.



Republican Party of Minnesota
7400 Metro Blvd
Suite 424
Minneapolis, MN 55439
(651) 222-0022
www.mngop.org

From Chairman David Hann

Minnesota Republicans,

It has come to my attention that there are rumors going around claiming that the MN GOP has lost major party status or that we are in danger of losing major party status. ***These rumors are not true.***

On June 26, 2023, the Office of the Minnesota Secretary of State notified me that the Republican Party of Minnesota had qualified for Major Party status based on the results of the 2022 election.

The Republican Party of Minnesota is currently [listed as a Major Party on the Secretary of State's website](#).

The letter also included notice of some law changes related to political parties that passed during the 2023 Legislative Session:

- **The threshold that statewide candidates have to receive for their party to maintain major party status increased from 5% to 8%.** All of our Republican candidates met this threshold in 2022, and we are confident the same will happen in 2024, so we are in compliance with this change.
- **Prior to the 2023 Legislative Session, only minor parties had to submit their Constitution. Going forward, Major Parties will also have to submit their Constitutions by December 1st.** Fortunately, the MN GOP did submit our updated constitution and bylaws to the SOS this year. We are in compliance with this change as well.
- **There is also a provision to list the dates and locations of each convention "held."** We have been working with the SOS's office to clarify what "held" means referring to convention dates and locations. Is that the ones we "held" in 2022? Or the ones "held" in 2023? Or the ones to be "held" in 2024? Regardless of what the answer is, we have until December 1st to submit whatever information is newly required.

Please stay tuned for more information on Precinct Caucus and 2024 BPOU and CD conventions. If you haven't started booking venues, please do so. The windows below were approved on August 12th by State Central:

- Precinct Caucus: February 27
- BPOU convention window: March 9th to April 16th
- CD convention window: April 27th to May 15th
- State convention: May 16 - 18 at the St. Paul River Center

If you have questions about your upcoming caucuses or conventions, please reach out to our Political Director, Andy Aplikowski: aaa@mngop.com.

Thank you,

-Chairman David Hann

Paid for by the Republican Party of Minnesota. Not authorized by any candidate or candidate's committee. www.mngop.org





***The Party
has complied with
the statutes, constitutions and
rules in the past.***

***The Party's failures
to retain institutional
documents and
to comply with the statutes, constitutions and
laws must be addressed
and remedied
by the proper governing body, beginning with
the State Central Committee.***

BPOU Delegates are Permanently Elected Under MN Statute 202A.18 & Can NOT be Denied Rights

202A.18 CAUCUS, PROCEDURE.

Subd. 2. Nominations; time of election of officers and delegates.

Nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

202A.18 CAUCUS, PROCEDURE.

Subd. 4. Announcement and certification of election results.

Upon completion of the counting of votes **the chair shall announce the names of persons who are elected, and shall certify the names to the chair of the county or legislative district executive committee and to the chair of the state central committee.**

Right to Participate in Conventions Shall NOT be Denied

ARTICLE II

Membership and Dues

SECTION 3: Rights.

Nothing in this Constitution shall be construed to deny or abridge **the rights of any voter to participate in any Party caucus, primary or convention, where is entitled by law to participate.**

Article II **requires EVERY** body of the Party (including, and perhaps especially, BPOUs) to recognize the **right** of **ANY** voter to participate in **ANY convention where the VOTER IS ENTITLED BY LAW TO PARTICIPATE.**

**BPOU delegates are elected under
MN Statute 202A.18**

**If any body of the party denied or abridged the right of any voter to participate in a convention (i.e. a BPOU convention) where he / she was entitled to participate by law, that body violated the law and has created an issue of noncompliance for the Party.
(Become familiar with Otter Tail "suspensions" and the Clay County BPOU failure to provide the Call to Convention to Permanently elected BPOU delegates)**

MN Statute 202A.18 governs the election of PERMANENT Delegates at the precinct caucus. The use of the word **PERMANENT** makes it clear- **a properly elected PERMANENT DELEGATE TO HIS/HER BPOU can NOT be removed as a Delegate to the BPOU convention.**

Additionally, the **chair of the precinct caucus SHALL CERTIFY** the names of the elected **PERMANENT DELEGATES** to the BPOU Chair AND the chair of the STATE CENTRAL COMMITTEE. Any removal (or a "suspension", which is simply a disingenuous removal) of a permanent delegate violates BOTH MN Statute and the Party Constitution.

Any body of the Party that has disenfranchised a permanently elected delegate has tainted the results of connected BPOU and CD conventions (and all elections and votes to amend bylaws and constitutions that occurred at those elections).

THOSE BODIES WOULD BE IN NONCOMPLIANCE until those violations are remedied.

THIS IS NONCOMPLIANCE

From: Otter Tail County Republican Party

<connect@ottertailgop.com>

Date: February 3, 2023 at 3:47:34 PM CST

To: [REDACTED]

Subject: Otter Tail County Republican Party Convention

[REDACTED]

At its meeting on January 10, the Otter Tail County Republican Party Leadership Committee agreed to a motion – by a vote of 22 for, 2 against, and 2 abstaining – to direct the Otter Tail County Republican Party Convention Credentials Committee to suspend seating privileges for any delegate or alternate who supported one or more candidates running against an endorsed Republican primary nominee in the previous general election. You are among those who have been suspended and will not be seated at the convention.

--

Otter Tail County Republican Party ottertailgop.com



In 2022, there were many reports of duly-elected precinct delegates being removed from the certified list and being replaced by persons who were not in attendance at a caucus & had not been properly nominated as required under MN Stat 202A.18 Subd. 2.

202A.18 CAUCUS, PROCEDURE.

Subdivision 1. **Temporary chair.** The convener shall be the temporary chair of the caucus.

Subd. 2. **Nominations; time of election of officers and delegates.** Nominations for the election of permanent officers and delegates shall remain open for at least the first quarter hour of the caucus. Election of delegates and alternates must begin within one hour of convening a caucus. Election of delegates and alternates may begin one-half hour after the convening of the caucus.

Subd. 2a. **Preference ballot.** Prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the office of the governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

Subd. 3. **Secret ballot.** All voting shall be by secret ballot.

Subd. 4. **Announcement and certification of election results.** Upon completion of the counting of votes the chair shall announce the names of persons who are elected, and shall certify the names to the chair of the county or legislative district executive committee and to the chair of the state central committee.

Subd. 5. **Rules of order.** All questions concerning the manner in which a caucus is conducted or called that are not covered by statute shall be determined by Robert's Rules of Order (revised) unless otherwise specified by party rules.

202A.18, Subd. 4 requires the chair of the caucus to certify the names of the delegates and alternates to BOTH the chair of the BPOU & the State Chair.

Noncompliance with this provision has contributed to division within the Party.

It is clear there were leaders of BPOUs who were told they had the right to remove duly-elected precinct caucus delegates.

It is possible that lawyers provided this guidance because they did not believe there would be a consequence for violating the statute.

The issue of improper delegate removal was blasted on social media and the news.

This issue may have contributed to the Democrats realization that the Party was out of compliance with MN statutes and its own constitution.

**The law has now been changed.
The proper delegates MUST be recognized.**

What does

“a certification
that the
party has met
the foregoing
requirements”

Mean?

It
Means

The person who signs the certification is testifying/
promising/verifying the Party
has:

- ✓ COMPLIED with ALL
PROVISIONS of the Party's
Constitutions & Rules
- ✓ Complied with ALL sections of
MN Statute 202A.12 and 202A.13

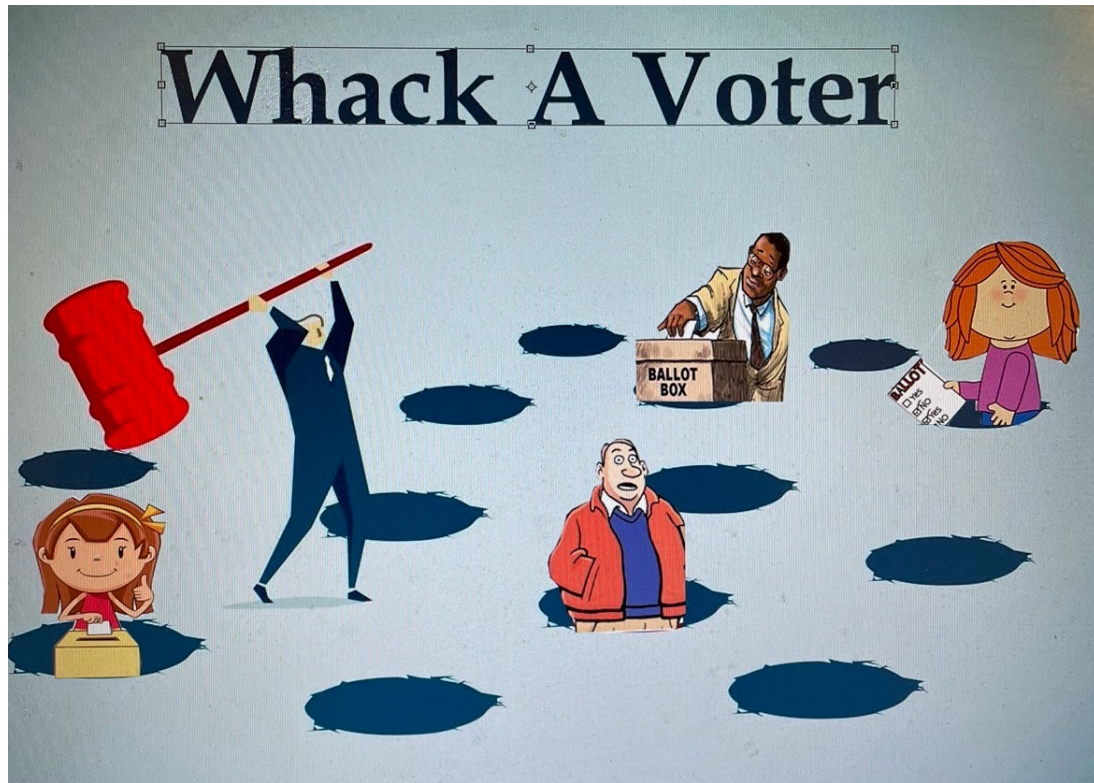
Do a majority of delegates and alternates support the idea that the Party should submit a false certification to create the appearance of compliance?

Is that what this Party has become?

The delegates calling for this meeting oppose this idea and ask that the State Executive Committee join us in calling for an immediate meeting.

WHY DOES ANY OF
THIS ACTUALLY
MATTER?

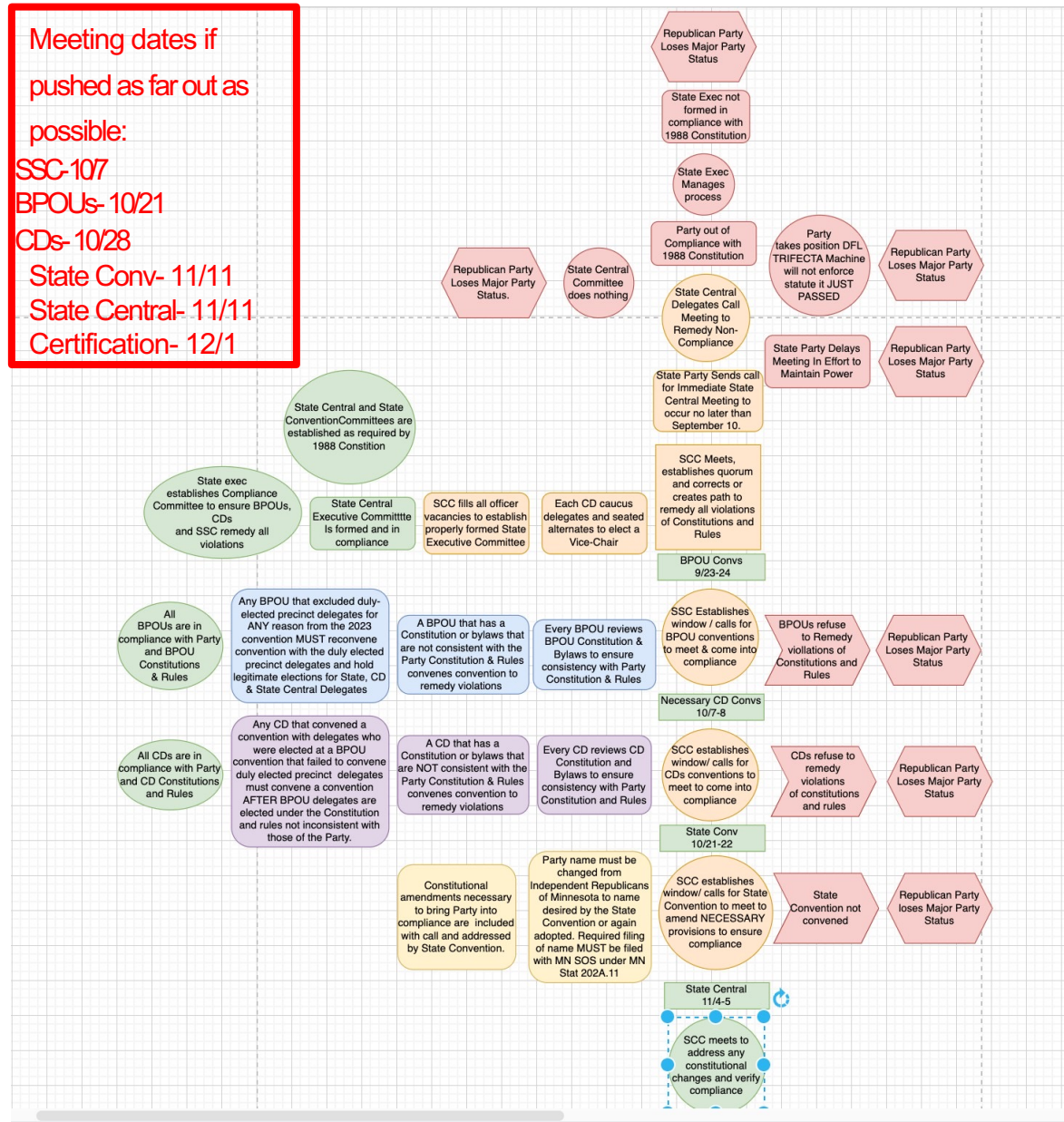
What Happens if the Independent- Republican Party/ Republican Party of Minnesota loses Major Party Status?



Right to exclusive use of name	202A.11
Authority of State Convention	202A.12
Delegates right to attend conventions-	202A.135
Right to use public school buildings	202A.19 Subd 4
Election judges- Generally	204B
Election Judges – Absentee	203B
Ballot Boards	203B.121
Precinct party balance	204B.19 subd 5
nominating petitions required	204B.03
vacancy in nomination- major party determines rules	204B.13
order of names- major parties only	204D.13

Flow Chart of Possible Path- Please make Suggestions

Meeting dates if pushed as far out as possible:
 SSC-107
 BPOUs- 10/21
 CDs- 10/28
 State Conv- 11/11
 State Central- 11/11
 Certification- 12/1



Any Action NOT Leading to Compliance

State Central Committee Action to Create Compliance

BPOU Action to Create Compliance

CD Action to Create Compliance

Actions Necessary to Ensure Compliance

Constitutional Issues that must be addressed prior to Caucus

202A.16 CAUCUS, WHO MAY PARTICIPATE AND VOTE.

Repealed subs. 1, 2 & 3 are effective July 1, 2023

~~Subdivision 1. [Repealed, 2023 c 62 art 4 s 138] **Eligible voters.** Only those individuals who are or will be eligible to vote at the time of the next state general election, may vote or be elected a delegate or officer at the precinct caucus. An eligible voter may vote or be elected a delegate or officer only in the precinct where the voter resides at the time of the caucus.~~

~~Subd. 2. [Repealed, 2023 c 62 art 4 s 138] **Agreement with party principles.** Only those persons who are in agreement with the principles of the party as stated in the party's constitution, and who either voted or affiliated with the party at the last state general election or intend to vote or affiliate with the party at the next state general election, may vote at the precinct caucus.~~

~~Subd. 3. [Repealed, 2023 c 62 art 4 s 138] **Decision by caucus vote.** In case the right of a person to participate at the caucus is challenged, the question of the right to participate shall be decided by a vote of the whole caucus. A person so challenged may not vote on the question of the person's right to participate.~~

Subd. 4. **One caucus per year.** No person may vote or participate at more than one party's caucuses in any one year.

History: 1975 c 5 s 7; 1981 c 29 art 7 s 5,38; 1986 c 444; 1986 c 475 s 6; 2023 c 62 art 4 s 138

NOTES AND DECISIONS

202A.16

State political party and party member did not establish credible threat of prosecution should they violate statute, and thus, party and party member's claims that statute violated their First Amendment freedom-of-association rights were not ripe for review; statute had never been enforced in more than 40 years since enactment, no past secretaries of state ever threatened enforcement for violation of statute, current secretary of state asserted that he did not have authority to enforce statute, and there were no criminal penalties for violation of statute. *Minn. Democratic-Farmer-Labor Party by Martin v. Simon*, 970 N.W.2d 689 (Minn. Ct. App. 2022).

The criminal penalties in the election-eligibility statute (section 201.014) and the unlawful-voting statute (section 204C.14) do not apply to the caucus-eligibility statute (section 202A.16). *Minn. Democratic-Farmer-Labor Party Martin v. Simon*, 970 N.W.2d 689 (Minn. Ct. App. 2022).

Case Law- DFL by Martin v. Simon

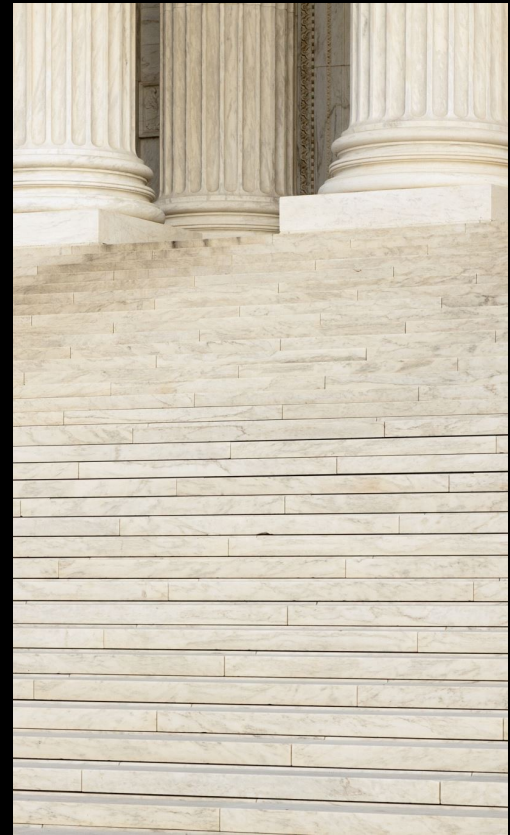
<https://casetext.com/case/minn-democratic-farmer-labor-party-by-martin-v-simon>

The Court ruled: “As our standard of review dictates, when deciding whether the penalties in the election-eligibility and unlawful-voting statutes apply to caucus voting, **we begin with the plain language of these laws.** That language references only elections.” *See, e.g., [Minn. Stat. § 201.014](#), subd. 1 *Minn. Democratic-Farmer-Labor Party By Martin v. Simon*, No. A21-0330, 8 (Minn. Ct. App. Jan. 3, 2022)*

Result of case: Mn Stat 202A.16 was almost entirely repealed.

MN Stat 200.02 NOW requires the Party comply with its constitution.

The Republican Party of MN Constitution must define who is a member of the Republican Party. The document filed with the state will be determinative. The Party Constitution is vague. At caucus, convenors and participants will need to know how to define a member of the Republican Party of MN.





**We MUST
bring this Party into
COMPLIANCE
and begin the process of
Rebuilding the MNGOP
Into the Party it was Formed to
Be.**

Please, join us in this important effort.