

# UCRP CBC Voter Information Guide

## B-134 Delegate Vacancy Replacements Appointed By Precinct Chair

Constitution & Bylaws Committee – Recommends Adoption ( 5-0)  
Executive Committee- Recommends Adoption (12-0)

### Purpose

*The Utah State Party Constitution requires that vacancies in the delegates elected in the precinct must be filled by appointment by the Precinct Chair. Any other method of selecting these replacement delegates conflicts with this authority granted to Precinct Chairs and is unconstitutional.*

*Article XII Section 2 D of the State Party Constitution reads:*

***If an elected delegate dies, resigns, or is disqualified prior to the convention, the County Party precinct chair shall appoint a replacement from the precinct of the deceased, resigned, or disqualified delegate.***

*Article XII A of the State Party Constitution reads:*

***Each County Party shall, by its central committee or its convention, adopt a Constitution and/or Bylaws, which shall govern its procedures, including the selection of those party officers, delegates, and representatives who represent only that county or its parts. Any provision of those documents that is contrary to state law or to a specific provision of this Constitution is null and void.***

( Changes in **bold**, additions are underlined, removed text is ~~in strikethrough~~)

### Bylaw 1 A

8. Recognizing that Caucus and Ex Officio Delegates may die, resign, or move from the county, the following rules shall apply for replacing delegates in the Primary year:

- a. If the delegate was nominated at a Voting Precinct Caucus or appointed by the Precinct Chair pursuant to this provision to replace a delegate nominated at a Voting Precinct Caucus, the Voting Precinct Chair may nominate a replacement up until the deadline established by the Steering Committee. ***If the Voting Precinct Chair fails to make the nomination by the cut-off date, the Legislative District Chair may nominate one of his/her District officers if done within two days.***

### Arguments FOR

We need to follow the State Party Constitution. It is the governing document for all county parties and we should respect that. Also, delegates that are not selected according to the state constitution could be challenged at the convention. (This has happened in the past.)

Having the replacements appointed at the precinct level is the best thing for our party. It keeps control of the delegates closest to the caucus where they were elected. When replacement delegates are appointed by other officers, those delegates may not represent the precinct of the vacancy, and that precinct loses representation.

### Arguments AGAINST

Our primary concern should be what is best for our own county. If precinct chairs do not fulfill their duty to appoint replacement delegates then not only does that precinct lose representation, but also the county loses a vote at the state convention.

We need to have a backup system of appointing delegates to make sure we have full representation.

Other counties have this same type of rule and these delegates have not recently been excluded from the convention in the past.