

# By-Laws of the 5CRC

## I. Overview and Purpose

The Five Color Ruling Council (hereafter referred to as 5CRC) determines the policy and rules for use at Five Color (also known as 5-Color) Worlds and 5-Color Qualifier Tournaments. The 5CRC also seeks to promote and advance the format.

## II. Composition:

The 5CRC understands that 5-Color is a diverse format, and as such, will attempt to achieve a diverse council to represent that format. The 5CRC shall be composed of nine voting members. The 5CRC may invite non-voting advisors to participate in certain activities and discussions.

## III. Secrecy of Deliberations and Disclosure:

The 5CRC primarily interacts with the public through the 5Color Yahoo! group (<http://games.groups.yahoo.com/group/5color/>) and through the 5-Color.com forums (<http://www.5-color.com/phpBB2/>). 5CRC members shall participate publicly.

The preliminary deliberations of the 5CRC shall be private, but all voting, results and decisions which impact the format shall be public.

1. The 5CRC maintains a restricted Yahoo list, which is not open to the public.
  - a. The restricted list is intended for internal and preliminary communications, propose and formulation of issues for voting, deliberation and discussion, compilation of votes and other activities described below.
  - b. The 5CRC may invite a small number of non-voting advisors to be part of the deliberations of the Council, and give those advisors access to the list.
2. Any activity on the restricted list which has an impact on 5CRC will be made public on the public Yahoo list and in the forums following the procedures described below.

## IV. Vacancies

A council seat may become vacant through the following methods:

1. A council member may resign at any time. The council member shall notify the Chairman of his intent to resign, and the date on which the resignation should be considered effective.
2. If a council member misses two consecutive votes, that member is automatically removed, unless the Chairman grants an exception.
3. Impeachment:
  - a. If a 5CRC member feels that another member has acted in a way to the detriment of the format, the council member may move to impeach said fellow council member. Motions for impeachment must be made on the restricted 5CRC list, and are not to be made public unless a vote is called.
  - b. All motions for impeachment must be seconded.
  - c. Once a motion for impeachment is made and seconded, the Chair may declare an impeachment trial.
    1. The impeaching 5CRC member must post a document to the Files section of the restricted list. The document must

containing his reasons why the offending member should be removed. Under no circumstances may a member's vote be used as the criteria for impeachment. The document may include comments or evidence received from other persons, with prior approval of the Chair. The document must be posted within three days of the impeachment trial being declared.

2. The impeached member may then post a reply. The reply is due one week after the impeacher's document has been posted.
- d. The Chair then calls for a vote on impeachment. The impeaching member and the defending member abstain.. A majority vote, of all sitting members minus two, in favor of impeachment removes the member.

## **V. Filling of Vacancies**

In the event of an unfilled seat, the 5CRC shall select a replacement.

1. The secretary will announce the vacancy, or impending vacancy, on the Yahoo list and in the forums.
2. Nominations shall be solicited from the 5CRC members and from the public. Nominations from the public must be made on the forums, and must include the actual name and forum ID of the nominee, a brief statement of the nominee's qualifications and the perceived benefits of having that person on the 5CRC.
3. Nominees shall be invited to publicly post information (in the forums and on the Yahoo list) their qualifications. Anyone nominated by a third party other than a 5CRC member must also post a statement that they are willing to serve.
4. The public may comment on the nominees in the forum and on the yahoo list.
5. One month after the vacancy was announced, nominations will be closed. The secretary will post the list of those nominated. The public has one day to review that list, to ensure that all names are included and correct. After that point, the secretary will post the final list of nominees.
6. Once the list is final, if more than four people have been nominated, the 5CRC will winnow the list.
7. To winnow the list, each 5CRC votes to include or exclude each nominee. Winnowing ballots are due one week after the list of nominees is final.
  - a. The winnowing ballots are not made public.
  - b. The four candidates with the highest total number of "include" votes will be on the ballot. In the event of a tie, the Secretary may modify the number of candidates to best reflect the expressed wishes of the 5CRC. The Secretary will then post the winnowed list.
8. Once the final list is posted, the Chairman will call the vote, via email on the private 5CRC list. Votes are due two weeks after that date.
  - a. The 5CRC votes on replacements for the vacancy.
  - b. The members rank the candidates from most favored to least favored.
  - c. The candidate with the highest favorable vote total wins.
  - d. The votes will be public.
9. The winner joins the 5CRC immediately, in the case of a vacant seat, or once the current member's resignation becomes effective.

## **VI. Officers:**

Chairperson (Chair)

1. The Chair of the 5CRC is elected by 5CRC members.
2. The Chair must be a member of the 5CRC.
3. The Chair does vote on all issues before the 5CRC
4. The Chair announces official votes, nominations, etc.

#### Secretary / Spokesperson

1. The Secretary is appointed by the Chair, after seeking advice from the 5CRC.
2. The Secretary shall be a member of the 5CRC.
3. The Secretary is responsible for posting to the Yahoo list and forums:
  - a. the list of nominated candidates for council seats,
  - b. issues nominated and seconded for voting on the ballots
  - c. results of said votes
4. The Secretary is responsible for explaining the actions of the council to the general public.

#### Other Officers

1. If the 5CRC observes a need for further officers, they may create such offices and elect said officers.
2. Creation of such offices requires a majority vote by the council. It does not require an amendment to the bylaws.

### **VII. Changes to the Rules of the Format:**

The 5CRC may make changes to the rules governing the 5color format. These changes may include restricting, unrestricting, banning or unbanning of cards, inclusion or exclusion of sets, modification of the rules of deck construction, changes to the wording of individual cards or mechanics, or such other changes as the council finds to be in the best interest of the 5color format.

Any such changes to the rules will only become effective after they are proposed, voted on and approved by the 5CRC.

A minor rules change, such as a wording clarification, can be proposed by the Chairman of the 5CRC and passed by affirmation of a majority of the 5CRC members. The Secretary will post the proposed minor rules change to the Yahoo list and the forum when proposed by the Chair, and post the result of the voting when concluded.

A major change to the rules of the format must follow these procedures.

1. The issue must be proposed for voting. Only members of the 5CRC may propose issues for voting.

*note: Members of the public may contact any 5CRC member and request that the member propose an issue.*

- a. The proposed issue shall be stated in a form which can be voted on.
  - i. issues may be in the form of yes/no questions
  - ii. issues may include contingencies
  - iii. issues may be stated in terms of multiple options, and include special voting procedures.
  - iv. The issue shall be stated so that a no vote maintains the status quo.
- b. The proposed issue shall be communicated among the 5CRC members.

- c. Any proposed issue must be seconded by a 5CRC member before it can be included on a ballot.
  - d. Proposals of issues will be made on the restricted Yahoo list, and will not be made public except as described below. This restriction does not prevent members of the 5CRC from speaking publicly about issues being proposed or considered.
2. The Chair will, periodically, close proposal of issues and call the vote.
    - a. One proposal of issues is closed, the secretary will post a list of all proposed and seconded issues to the 5CRC members, privately, for review. Members have one week to note omissions and corrections, if any. After a week, the Secretary will post the final list of issues to the Yahoo list and the Forums
    - b. The council will begin voting on the issues.
      - i. The chairperson may elicit votes via e-mail, forum posts, or polling software.
      - ii. Voting may begin immediately, once polling has been enabled.
      - iii. All votes will be due one month after the Secretary posts the issues list, unless the Chairman establishes a shorter timeline.
3. Voting
    - a. An issue shall be considered approved if a majority of the total members of the council vote in the affirmative on the issue.
      - i. In the event of a tie, the issue will be considered not approved.
      - ii. If an issue includes a special voting procedure, that procedure shall be followed.
    - b. The Secretary shall post the results of each ballot to the Yahoo list and the forum. The results shall include:
      - i. Whether each issue is approved or not
      - ii. Each member's votes on each issue
      - iii. A brief explanation for each vote
      - iv. Any other information deemed appropriate by the Secretary.
    - c. The Secretary shall post the date on which any changes to the rules will become effective. That date will be the next first or fifteenth day of the month following publication of the results.
  4. Once an issue has been proposed and voted upon, that issue cannot be proposed for reconsideration for three months, except for emergency reconsideration.
    - a. A member may propose an emergency reconsideration of an issue.
    - b. The reconsideration must be seconded by a majority of the 5CRC members.
    - c. If proposed and seconded, the Chair may include an emergency reconsideration on the next ballot, or may call a special vote on the issue. Special votes follow the procedures outlined above, except that the review period in VII.(2)(a), above, is eliminated.

### **VIII. Amending the Bylaws**

The Bylaws may be amended or changed.

1. Any 5CRC member may propose changes or amendments to the bylaws of the 5CRC, Such proposals shall be made on the restricted Yahoo list.

2. Any proposed amendments must be seconded by at least two other members before being considered.
3. Amendments and changes to the bylaws will be included on ballots as described above, except that any changes or amendments to the bylaws must be approved by two-thirds of the sitting members of the 5CRC.

## **Amendments**

### **“I. Filling of Vacancies**

If a retiring member wishes to designate a successor, the retiring member may do so submits the designee’s name and qualifications to the restricted Yahoo List

1. The retiring member submits the designee’s name and qualifications to the restricted list.
2. The Chair and remain members may comment on and discuss the designee.
3. After one week, the Chair may either approve the designation, or call an election
  - a. If the Chair approves the designation, the designee joins the 5CRC.
  - b. If the Chair disapproves the designation, the procedure for filling an unfilled post applies, with the designee automatically included on the ballot.