

## **BYLAWS**

### **DISTRICT: 41 DEMOCRATIC-NPL PARTY**

**Adopted: February 7, 2014**

#### **ARTICLE I. NAME**

The name of the organization is North DEM-NPL District 41, hereafter referred to as the "District Party".

#### **ARTICLE II. AUTHORITY AND PURPOSE**

The District Party is organized and functions under authority of Chapter 16.1-03 of the North Dakota Century Code and in compliance with the bylaws of the North Dakota Democratic- NPL Party and has as its purposes:

- A. To promote the election of candidates of integrity to hold public office who are dedicated to serving the people;
- B. To inform the citizenry on matters of public concern so that the people are able to make decisions on the basis of fact;
- C. To encourage the participation without discrimination of as many people as possible in the political process.

#### **ARTICLE III. PRINCIPLES**

1. All meetings of the District Party are open to all interested persons.
2. Any person 18 years of age or more who resides in legislative district 41 and who voted or is affiliated with the North Dakota Democratic-NPL Party at the last general election, or intends to vote or affiliate with the North Dakota-NPL at the next general election may participate fully in all District Party procedures and be elected to any District Party office as provided for in these bylaws except where specifically prohibited by law; NDCC 16.1-03-02(2).
3. No test of membership in, nor any oath of loyalty to, the District Party shall be required or used.
4. No mandatory dues or fees may be required of anyone.
5. The time and place for all meetings of the District Party, on all levels, shall be publicized fully and in such manner as to assure timely notice to all interested persons. The meetings shall be held in places accessible to and large enough to accommodate all interested persons and shall be scheduled to begin and end at a reasonable hour.

6. Attention will be given to representation of young people, women and minority persons on all delegations and committees, and every effort shall be made to hear their views on issues of concern.

7. General meetings of the District Party shall be held at least \_\_6\_\_ times a year for the purposes of informing people on current issues, defining District policy, and organizing activities. All participants in such meetings shall have equal voice and vote.

District 41 is organized pursuant to the provisions of Chapter 16.1-03 of the North Dakota Century Code.

#### **ARTICLE IV. PRECINCT ORGANIZATION**

1. Purpose: The precinct is the foundation of the political organization. It meets to elect its precinct committeepersons and its precinct chair. During election years, it also meets to elect district convention delegates and take precinct positions on candidates and issues. It can serve other functions as determined by its district party, such as fundraising and campaigning.

2. Organization: In every odd-numbered year, on or before January 30, in accordance with sections 16.1-03-01 through 16.1-03-03 of the North Dakota Century Code, a party caucus shall be held by each election precinct at a site within or reasonably close to the precinct. The district chair shall issue the call for the caucus, as provided in article X of the By-Laws, at least twenty (20) days before the time set for holding the caucus and provide ten (10) days published notice in the official newspaper in circulation within each precinct in the district; NDCC 16.1-01-03.

3. Authority to Elect Precinct Committeeperson: No political organization shall be entitled to elect a precinct committeeperson at its precinct caucus unless; NDCC 16.1-03-03(2):

A. The political organization nominated and had printed on the ballot at the last preceding presidential election the names of a set of presidential electors pledged to the election of the party's candidates for president and vice president; or a candidate for governor and

B. The candidates provided for in subdivision 3(A) above received at least five percent of the total vote cast for presidential electors or governor within this state at the election.

4. Officers: Each precinct caucus shall elect a chair, a precinct committeeperson as provided for in this Article and other officers as provided by law, state and district rules. The precinct chair and committeeperson shall hold office for a two year term. The caucus may also discuss party policies, candidates and any other business as prescribed by party rules. The caucus chair shall notify the district chair and county auditor of the names of those elected; NDCC 16.1-03-03.

Duly elected precinct committeepersons (one for every 250 votes or fraction thereof for the party's candidate for president in the last presidential election; NDCC 16.1-03-03(3) shall serve as their precinct's representatives on the district committee. Each precinct shall be entitled to at least one precinct committeeperson qualified under Article IV, Section 3A. Other duties may be determined by the District Party. District Chairs shall appoint at least one election judge and one poll clerk per precinct; NDCC 16.1-05-01(2).

5. Qualification and Challenges: Only those persons who either voted or affiliated with the Democratic-Nonpartisan League at the last general election or intend to vote or affiliate with the North Dakota Democratic Nonpartisan League at the next general election may vote at the precinct caucus or be elected as a committeeperson or officer at the precinct caucus; NDCC 16.1-03-02(2). If the right of a person to participate at the caucus is challenged, the right to participate shall be decided by a vote of the whole caucus. A person so challenged may not vote on that person's right to participate. A two-thirds (2/3) vote of the whole caucus shall be required for exclusion. No person may vote or participate in more than one precinct caucus in any one year.

6. Vacancies: Vacancies occurring after the organizational meeting in the office of precinct committeeperson shall be filled by appointment upon a majority vote of the district executive committee. An appointee shall be a resident of his precinct. Notice of the appointment must be given to the County Auditor; NDCC 16.1-03-03.

7. Meetings: The duly elected precinct chair shall call and hold precinct meetings as required by law and the District Party.

In addition to the annual meeting specified by law, the precinct chair shall call and hold such meetings as needed to carry out functions designated by the District Party. At these meetings, a new precinct chair may be elected or new precinct committeepersons recommended if resignations have occurred.

## **ARTICLE V. DISTRICT COMMITTEE**

1. Purpose: The purpose of the district committee is to organize the district, elect district officers, approve bylaws changes, elect an executive committee and conduct business of the district unless its members determine that the District Party is to have that authority.

2. Members: The precinct committeepersons of the Party, along with the Party's nominees for and the members of the legislative assembly, and the officers of the District Committee as provided hereinafter, shall constitute the District Committee. The District Committee, upon a majority vote of its members, may appoint any former member of the legislative assembly as an ex-officio and voting member of the District Committee. The District Committee must be organized to coincide with the geographical boundary lines of state legislative districts; NDCC 16.1-03-07. No person shall be allowed more than one vote.

3. Organization: Not later than January 30 in every odd numbered year, the District Committee in each legislative district shall meet for the purpose of organizing. The day,

hour, and site of the meeting will be set by the incumbent district chair. The District Committee will organize by:

a. Selecting a chair, vice chairperson, secretary, and treasurer chosen by the district committee. The officers selected need not be precinct committeepersons; however, all the officers shall be voting members of the District Committee. The officers shall be elected for two-years and until a successor is elected and qualified; NDCC 16.1-03-07.

NOTE: The District Committee may add other officers to Bylaws deemed necessary.

b. Selecting an executive committee consisting of five or more persons chosen from the district committee. The five officers named above shall be members and the officers of the executive committee and are included in the 5 to 18 person membership.

1) The district organization committee is composed of any interested Democrat who resides in the legislative district. The district organization committee will participate fully at all district meetings, executive committee meetings included.

c. Adopting bylaws and rules in compliance with all applicable laws and the bylaws of the ND Democratic-NPL Party.

The newly elected district chair shall notify the Secretary of State of the names of the party officers selected. If the office of chair becomes vacant, the vice chairperson shall hold the office until the next regular election for the office or until a new chair is selected by the District Committee for the remainder of the term, whichever shall first occur. The Secretary of State must be notified of any changes in membership of the district's committee officers by the district committee and must notify the county auditors of any changes; NDCC 16.1- 03-07.

4. Meetings: The district committee shall meet at such other times and places as called by the chairperson the third Thursday of the month to perform other duties.

5. Quorum: A quorum of the district committee shall be \_\_5\_\_ of the members.

## **ARTICLE VI. EXECUTIVE COMMITTEE**

1. Purpose: Under section 16.1-03-05 of the North Dakota Century Code, the executive committee shall have the responsibility of filling any vacancy in the office of precinct committee person by appointment from such precinct.

2. Members: The Executive Committee of the district shall consist of five or more persons chosen from the District Committee and chosen by the District Committee. The chair, vice chairperson, treasurer, and secretary of the District Committee shall be members and the officers of the Executive Committee. The Party's nominees for and

members of the legislative assembly may also be members of the Executive Committee; NDCC 16.1-03-07.

If the office of chairperson becomes vacant, either the vice chairman or vice chairwoman shall be elected by the district committee to hold such office until the next regular election for such office or until a new chairperson is elected by the district committee for the balance of the term, whichever occurs first. Any other vacancy in the district officers shall be filled by a majority vote of the district committee.

3. Meetings: Meetings may be called at a time and place set by the district chairperson or by a majority of the members.

4. Vacancies: Vacancies on the executive committee shall be filled by a majority vote of the district committee.

5. Quorum: A quorum of the executive committee shall be a majority of the members.

## **ARTICLE VII. ELECTION YEAR DELEGATE SELECTION PROCESS**

The following rules and procedures shall govern the selection of delegates and alternates in precinct caucuses and the district convention:

1. Automatic delegates: There shall be no automatic delegates or alternates.

2. Unit Rule: The use of the unit rule shall not be permitted.

3. Memberships: There shall be no mandatory fees or dues to participate in the delegate selection process.

4. Proxy voting: No voting by proxy shall be permitted at any caucus, meeting, or convention engaged in the delegate selection process.

5. Delegate and Alternate Nomination: Any participant may place in nomination for delegate or alternate his or her name or the name of any interested person of the appropriate unit (precinct or district) who is a bonafide resident of the unit.

6. Preference Caucuses: There shall be opportunity for preference caucuses as indicated in Articles VIII and IX of these bylaws.

7. Delegate-Alternate Vacancies: In the case of withdrawal or ineligibility of a delegate, he/she shall designate in writing an alternate from the list of alternates elected to attend and represent and act for him/her. Any alternate vacancies or delegate vacancy caused by death or any other reason shall be filled by the delegation itself acting as a committee, provided that at least forty percent (40%) of the delegation is present when the vacancy is filled.

8. Caucus and Convention Publicity: Precinct caucuses and district conventions shall be publicized fully as indicated in Article X of these bylaws.

9. Quorum Provisions: Forty percent (40%) of all certified delegates at a district convention or of the appointed members of a convention committee shall constitute a quorum to conduct business.

10. Challenges: Any person eligible to participate in the District Party may challenge any delegate or alternate certified to the district convention by notifying the district chairperson in writing. The challenge shall include the name of the delegate or alternate being challenged and the grounds for the challenge.

The district chairperson shall inform the chairperson of the credentials committee and the delegate or alternate being challenged.

Upon notification of a challenge the chairperson of the committee on credentials shall convene the committee before the district convention to give equal time for any statements from the challenger and from the delegate or alternate being challenged, and to hear from any other persons who wish to make a statement on the challenge.

In the case of each challenge, the committee on credentials shall report to the district convention the name of each delegate or alternate it believes is entitled to be seated and each report must be approved by a majority vote of the convention before that delegate or alternate may participate in the convention.

Any person eligible to participate in the Party may challenge any delegate or alternate certified to the state convention by notifying State Headquarters in writing at least thirty (30) days prior to the State Convention.

## **ARTICLE VIII. ELECTION YEAR PRECINCT CAUCUSES**

1. Open Caucuses: Open precinct caucuses will be held on the date set by the State Policy Committee.

2. Place: The district chairperson will designate the place of the caucuses.

3. Publicity: The district officers shall publicize the precinct caucuses as provided for in Article X of these bylaws.

4. Delegates and Alternates: Each precinct caucus will elect delegates and alternates to the district convention as determined by the State Policy Committee.

5. Caucus Chairperson: The precinct chairperson, or if he/she is not present, someone elected by those present, shall be the caucus chairperson.

6. Business: Each precinct caucus may endorse candidates for office, pass resolutions, or

conduct any other necessary business.

7. Preference Caucuses: The caucus chairperson shall call for requests to caucus. Any participant may request a preference caucus on a candidate or issue and the request shall be granted provided there are enough people committing themselves to attend the preference caucus to be entitled to elect one (1) full delegate to the next highest level. Those not committing themselves to any preference shall be in an uncommitted caucus. The caucus chairperson shall select a temporary chairperson from and for each preference caucus, shall serve as chairperson of the uncommitted caucus, and shall assign the number of full delegates and alternates that each preference caucus and the uncommitted caucus shall elect to the district convention. At least thirty (30) minutes shall be granted for the preference and uncommitted caucuses.

If there are no requests for preference caucuses, the precinct caucus as a whole shall elect delegates and alternates to the district convention.

8. Names and Resolutions: The caucus chairperson shall submit the name and address of each delegate and alternate to the district chairperson prior to the district convention. The caucus chairperson shall submit any resolutions passed by the caucus to be considered at the district convention to the resolutions committee prior to the district convention.

## **ARTICLE IX. DISTRICT CONVENTION**

1. Time and Place: A district convention shall be held at a time set by the State Policy Committee and the place set by the district chairperson in each general election year.

2. Purpose: A district convention shall be held for the purposes of nominating legislative candidates, endorsing candidates for other offices as the convention desires, selecting delegates and alternates to the State Democratic-NPL Convention as determined by the State Policy Committee, adopting resolutions, and considering other matters that should properly come before the convention.

3. Delegates: Delegates to a district convention shall be elected in precinct caucuses and certified by the district chairperson as provided in Article VII and VIII of these bylaws.

4. Committee on Committees: At least thirty (30) days before the district convention, the district committee shall name and convene a committee on committees consisting of not fewer than seven (7) residents of the District to appoint the following district convention committees:

- a. Committee on Credentials which shall report on all challenges of delegates and alternates.

- b. Committee on Rules and Procedures which shall present to the convention rules, procedures and an agenda in compliance with these bylaws.

- c. Committee on Resolutions

5. Publicity: The district convention and meetings of convention committees shall be publicized as provided for in Article X of these bylaws and shall be open to all interested persons

6. Vote: Each delegation to the district convention is allowed to vote only the number of delegates on the floor at the same time of the vote.

7. Minority Report: Ten percent (10%) of the members of any convention committee or of any caucus may prepare and present a minority report to the convention.

8. Preference Caucuses: The committee on rules and procedures shall determine and report to the convention the number of like-minded delegates needed to establish a preference caucus; the report shall be subject to approval by the Convention.

When such a report has been approved, the district chairperson shall call for a vote by all delegates on preference or uncommitted caucus they would attend. Based on the results of such a vote, the committee on rules and procedures shall report the preference caucuses to be held, which report shall be subject to the approval of the convention; provided, however, that no group of like-minded delegates shall be denied a preference caucus if their whole strength is sufficient to entitle them to at least one full delegate to the State Convention.

The district chairperson shall then call for a signed ballot from each delegate on which he indicates the preference or uncommitted caucus he will attend in order to determine the strength of each caucus and to establish a roster for each. The committee on rules and procedures shall report the results of such ballot and the number of delegates and alternates to the State Convention to be elected by each caucus; the report shall be subject to approval by the convention.

The district chairperson shall name a temporary chairperson, from and for each preference caucus, who will convene the caucus to elect its permanent chairperson.

Delegates shall caucus according to their candidate or issue preference indicated on their signed ballots to elect delegates and alternates to the State Convention in proportion to their strength as reported by the committee on rules and procedures and approved by the Convention. The convention as a whole shall elect by majority vote the odd delegate if it cannot be proportionately decided. Caucuses shall be granted at least thirty (30) minutes to elect delegates and alternates.

If there are no preference caucuses, delegates and alternates to the State Convention will be elected by the full district convention.

## **ARTICLE X. CALLS AND NOTICES**

1. The Call: Calls to precinct caucuses and district conventions shall include:
  - a. Time and place of caucus or convention.



- b. Number of delegates and alternates to be elected at the caucus or convention.
- c. Procedure for nominating and electing delegates and alternates.
- d. Procedure for certifying delegates and alternates to the district or state convention.

2. Publicity: Precinct caucuses, district conventions, and all meetings held under these bylaws shall be publicized in a timely and appropriate manner.

#### **ARTICLE XI. PROXIES**

Proxies are permissible only in those caucuses, meetings, or conventions not engaged in the delegate selection process. Proxies shall be in writing, signed by the giver, or by a verbal vote of those in attendance; shall be limited to one meeting, and no person shall bear more than one (1) vote. Proxy holders shall be limited to members of the same unit represented by the giver.

#### **ARTICLE XII. AUDITS**

The district chairperson shall appoint a standing committee of three (3) to audit the district treasurer's books annually, and to report its finding to the district committee.

#### **ARTICLE XIII. RULES**

All caucuses, conventions, and meetings held under these bylaws shall be governed by these bylaws and by Robert's Rules of Order, Revised.

#### **ARTICLE XIV. AMENDMENTS**

These bylaws may be amended by a majority vote at any meeting of the district committee at which a quorum is present if the proposed amendment has been included in the notice of meeting. Written notice of the proposed amendments must be given.

#### **ARTICLE XV. CANDIDATE COOPERATION**

All candidates for public office nominated by this organization are instructed and will be expected to cooperate fully with the District campaign committee, with the State Policy committee, with other candidates of the Democratic-NPL Party, and with candidate support organizations regarding campaign methods and procedures.