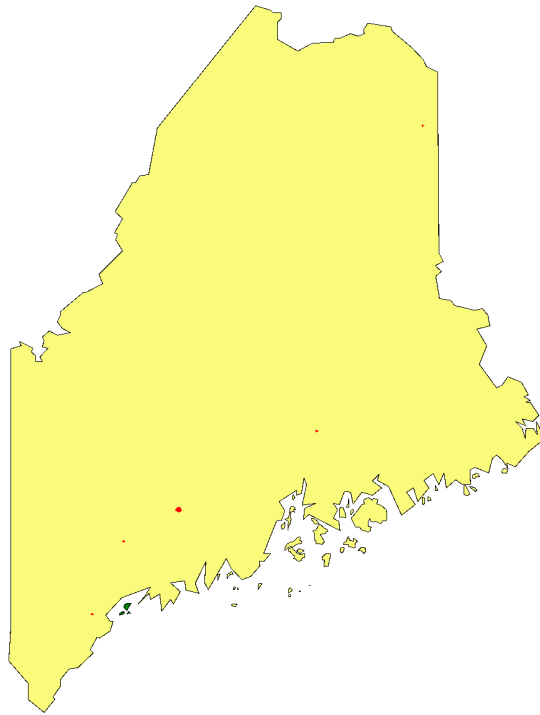


# ***Maine Democratic Party Charter***

***As Most Recently Amended Nov 19, 2023  
by the  
Democratic State Committee***

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## **Preamble**

***This Charter and the procedures established hereunder are adopted to guarantee access to all who wish to join the Democratic Party of Maine, and equality to all who choose to participate in its affairs.***

***The responsibilities of the Democratic Party of Maine are: to urge public policies which consider the needs of all, and which recognize the rights of each; to provide candidates who are beholden only to their constituencies and to their consciences; and to speak for no one person, no one group, no one interest, but to hear and serve them all.***

***The needs of an individual or of a society cannot entirely be met through the political process. To the extent that individual and societal needs can be met through political activity, we resolve that for the people of Maine, the Democratic Party shall be and remain their best means.***

***Through these practical rules we give substance to the ideal of a political party open to every person, dominated by none.***

# CHAPTER 1

## DECLARATION AND PARTICIPATION

### 100. Declaration

The Democratic Party of Maine declares this Charter to be adopted, effective upon the adjournment of the 1992 State Convention. This Charter remains in effect until amended by a subsequent State Convention or by the Democratic State Committee (DSC) in accordance with Chapter 15 of this Charter. This Charter, under the authority of Maine Democrats, as approved at the Maine State Democratic Convention, shall take precedence over any conflicting bylaws of the state, county, or municipal committees or any other entity of the Maine Democratic Party. Each subsidiary body created by this Charter shall be run in accordance with its own bylaws and rules of order, but nothing in this Charter shall be interpreted so as to allow any action contrary to the Charter of the Maine Democratic Party or actions taken by the Democratic State Convention.

### 110. Participation

1. The affairs of the Democratic Party of Maine shall be open to all. Discrimination on the basis of age, sexual orientation, color, economic status, ethnic identity, national origin, physical or mental handicap, race, religion, or gender identity or expression is expressly prohibited.
2. There shall be no proxy voting at any level of the Democratic Party of Maine.
3. No oath or affirmation of loyalty shall be required or used at any level of the Democratic Party of Maine.
4. The time, place, and agenda of all Democratic Party meetings and events shall be publicized as fully as possible to assure timely notice to all interested persons. Meetings shall be held in places accessible to all party members. Meetings shall begin and end at reasonable hours. As used in this Charter, written notice includes notice by e-mail to persons who have authorized such notice, provided that there are effective procedures by which addresses are periodically verified.
5. The Democratic Party of Maine shall publicize fully, and in such manner as to assure timely notice to all interested parties, a description of the legal and practical procedures for the selection of Democratic Party Officers and representatives on all levels.
6. In order that the Democratic Party of Maine be a representative party, a program of affirmative action is hereby required. It shall be the duty of all party officers to take effective steps to encourage the underrepresented, such as young people, women, and members of minority groups to seek membership on party committees and election to party office.
7. No person shall be excluded from any Democratic Party function, the conduct of which is governed by State law or by this Charter, for an inability to pay a fee. The Party may, however, charge reasonable fees to finance its functions.
8. The official records of all public meetings shall be accessible for examination and copying by any Maine Democrat. Upon approval by the DSC, the minutes of a Convention shall be kept on permanent file by the Party and available for inspection by any Maine Democrat.
9. Any body created by this Charter may establish procedures for remote participation in meetings by conference call or other means that enable all members to communicate with each other simultaneously, and such procedures may provide that remote participation shall be deemed to be attendance at the meeting.
10. No election required by this Charter shall be suspended or waived. In cases where the number of candidates is equal to or fewer than the number of positions to be filled, election by unanimous consent or a motion to have a simple yes or no vote on the entire slate shall be permitted.

### 120. Party Membership

Except as otherwise expressly provided by this Charter, all officers and voting members of the Democratic State Committee and of any subsidiary body created by this Charter must be voters registered in Maine and enrolled in the Democratic Party. Members elected to represent an organization or geographic unit must be members of the organization or voters registered in that geographic unit.

### 130. Limitations on Endorsements

For the purpose of this Section only: an endorsement is defined as any preferential statement (verbal, written, visual or otherwise) supporting a candidate's electoral race; candidate is defined in 21-A M.R.S.A. §1(5).

1. *Primary Elections.* The Maine Democratic Party, and all state and local Party organizations, shall not endorse any person in a Democratic Party primary, unless they are the only candidate who has qualified for the Democratic Party primary election ballot as verified and certified by the Secretary of State's office after the statutory filing deadline.

This subsection does not prohibit a Party organization from making general support services available to primary candidates as long as those services are offered equally to all candidates.

2. *General Elections.* The Maine Democratic Party, and all state and local Party organizations, shall not endorse in a general election: any non-Democratic candidate if there is a Democratic candidate on the ballot, or any Democrat unless they are the official winner of the Democratic Party primary held for that election or they are the only Democratic candidate to qualify for the primary or general election ballot as verified and certified by the Secretary of State's office after the statutory filing deadline.

## **CHAPTER 2**

### **MUNICIPAL & REGIONAL COMMITTEES**

#### **200. Municipal Committees.**

1. *Organization.* Municipal Committees may be organized at a Caucus, either biennial or special,
2. *Continual Existence.* A Municipal Committee shall have a continual existence so long as it has at least a chair and a secretary, holds a biennial municipal caucus, and has a current set of bylaws on file with the MDP headquarters. Municipal Committees are required to provide their bylaws and a list of their officers to the State Party within 30 days of adoption of those bylaws, or any amendments to them, and/or election of officers within 30 days of their election.
3. *Purpose.* It shall be the purpose of a Municipal/Regional Committee to support Democratic candidates, with a special emphasis on state house and local municipal races.
4. *Membership.* Any enrolled Democrat resident in the municipality who requests membership to the Municipal Committee Chair or other presiding officer, shall thereby become a member of the Municipal Committee until the next biennial caucus, unless the member resigns or ceases to be eligible. At each Municipal Caucus, the Chair shall solicit applications for Municipal Committee membership.
5. *Officers: Election & Removal.*
  - A. *Election.* Municipal Committees shall have a Chair, a Secretary, and such other officers as they may consider necessary. Their election shall be at the biennial caucus or at such other meeting as the Municipal Committee Bylaws so provide. Such officers shall be elected for two (2) year terms. A Municipal Committee, by majority vote, may fill any vacancy.
  - B. *Removal.* An officer or member of a Municipal Committee may be removed at a meeting called expressly for that purpose. Written notice must be given to all members of the Committee at least seven (7) days before the meeting. Removal shall require the approval of two-thirds (2/3) of the Committee members present and voting.
6. *Notice.* Each Committee member shall be given at least seven (7) days' notice before any Committee meeting.
7. *Meetings by Request.* Upon receipt of a written request signed by any five (5) enrolled Democrats within the municipality, a Municipal Committee Chair or other presiding officer shall within five (5) days call a meeting whose purposes shall be limited to the matters mentioned in the written request. The meeting shall be scheduled at a time that allows broad participation and at least seven (7) days' advance written notice to members, unless a *bona fide* emergency requires immediate action. If the Municipal Committee Chair or other presiding officer fails to call the meeting as requested, the County Chair shall call a meeting as prescribed above.
8. *Local Option Bylaws.* The Democrats within a municipality may adopt provisions in their municipal committee bylaws that establish an alternative method of election, term of office, or duties for the Municipal Committee, and in the event of a conflict with this Charter, such provisions shall be controlling to the extent required by the Maine Election Code (21-A MRSA §315 as amended)

#### **210. Regional Committees.**

1. *Forming a Regional Committee.*
  - A. Any two (2) or more contiguous municipalities may form a Regional Committee.
  - B. To form a Regional Committee Registered Democrats from each municipality must decide, by majority vote, to join the Regional Committee:
    - (1) At the biennial Municipal Caucus;

- (2) At any Municipal Committee meeting; or
  - (3) If there is no Municipal Committee, at a Special Caucus called pursuant to 21-A M.R.S.A. § 311(5) as amended.
2. *Organizing a Regional Committee.* At the first meeting after formation of a Regional Committee, the Committee shall elect officers and adopt bylaws. This meeting may occur immediately after the biennial Municipal Caucuses on the same date and in the same location if notice has been given as part of the caucus notice, and all municipalities that have joined the Regional Committee are present or otherwise able to attend.
  3. *Continual Existence.* Regional Committees shall have a continual existence so long as they consist of at least two (2) contiguous municipalities, have at least a chair and a secretary, and have a current set of bylaws on file with the MDP headquarters. Regional Committees are required to provide their bylaws and a list of their officers to the State Party within 30 days of adoption of those bylaws, or any amendments to them, and/or election of officers within 30 days of their election.
  4. *Effects of Forming a Regional Committee:*
    - A. Voting to create or join a Regional Committee means that the individual Municipal Committees will dissolve and all assets of the Municipal Committees will become the property of the Regional Committee, Municipal Committee officers will no longer hold those positions, and the Municipal Committee bylaws will become null and void.
    - B. Regional Committees shall have all the rights, privileges and duties of a Municipal Committee and the officers of a Regional Committee shall have all the rights, privileges, and duties of officers of a Municipal Committee under this Charter.
    - C. Municipalities will retain their representation rights on County Committees, and for the State Convention, and will continue to caucus as single municipalities in order to elect these positions, and reaffirm or change their decision to be part of the Regional Committee.
    - D. Regional Committees are required to provide their bylaws and a list of their officers to the State Party within 30 days of adoption of those bylaws, or any amendments to them, and/or election of officers within 30 days of their election.
  5. *Leaving or Dissolving a Regional Committee.* The registered Democrats of any municipality in a Regional Committee may vote to have their municipality leave the Committee at any time by majority vote during a special caucus pursuant to 21-A M.R.S.A. § 311(5), or during the biennial Municipal Caucuses.
  6. Nothing in this section precludes active Municipal Committees from forming informal coalitions of Municipal Committees to coordinate on joint activities.

## **220. Special Caucuses.**

1. *Purpose.* A special caucus may be called by any enrolled Democrat resident in a municipality that does not have a Municipal Committee for the following reasons:
  - A. To create a Municipal Committee;
  - B. To participate in the nomination of a candidate in a special election (21-A MRSA §363(5)); or
  - C. To join or leave a Regional Committee.
2. *Notice.* A special caucus shall be noticed in accordance with 21-A M.R.S.A. § 311(5) as amended.

## **CHAPTER 3 COUNTY COMMITTEES**

### **300. Membership**

Every County Committee shall consist of representatives from each municipality within that county, together with such *ex officio* or at-large members, if any, as may be specified in County Committee bylaws. A municipality is herein defined as a city, town, or plantation.

1. *Election.* Each biennial caucus shall elect members to serve on the County Committee. County Committee members shall assume office as soon as elected and serve for two-year terms or until their successors are elected.
2. *Membership.*
  - A. Each Municipality shall be entitled to a minimum of two (2) members on the County Committee.
  - B. The Municipal and Regional Committee chairs residing within the county shall be *ex officio* members of the County Committee.
  - C. The number of additional members to be elected from each municipality shall be determined in accordance with County Committee bylaws.

- D. The Vice Chair or a designee of the Municipal Committee may serve as an alternate for the Municipal Committee Chair at County Committee meetings with full voting rights. Regional Committees may designate an alternate for their Chair who must reside in the same County as the Chair.
  - E. When possible, the County Committee members of each municipality shall be gender balanced.
3. *Vacancies.* Vacancies in a County Committee may be filled as specified in the County Committee bylaws.
  4. *Officer Removal.* An officer of a County Committee may be removed at a meeting called expressly for that purpose. Written notice must be given to all members of the Committee at least seven (7) days prior to the meeting. Removal shall require the approval of two thirds (2/3) of the Committee members present and voting.
  5. *Member Removal.* Any County Committee member representing a municipality may be removed by the Municipal Committee, and any other County Committee member may be removed by the County Committee. Removal shall require a vote of two thirds (2/3) of the Committee members present at a meeting called for that purpose with at least seven (7) days' advance written notice.
  6. *Bylaws.* Each County Committee shall file a copy of its most current bylaws, or a statement verifying that the copy most recently filed is still current and accurate, at state party headquarters within sixty (60) days after the biennial municipal caucuses. Copies of any amendments shall be filed within thirty (30) days after adoption by the County Committee.
  7. *Reporting of election results.* Each county committee shall notify the DSC Secretary and Executive Director in writing of the results of elections for County Chair and the County Chair's DSC alternate, for members of the Committees on Rules, Platform, and Credentials, and to fill any DSC vacancies. This notification shall be no more than fourteen (14) days after the election was conducted, and shall include contact information of those elected.

### **310. Meetings by Request.**

Upon receipt of a written request signed by any five (5) County Committee members, a County Committee Chair shall, within thirty (30) days, call a meeting to discuss any business mentioned in the written request. Whenever a County Committee meeting is held upon request, a written notice must be given to all members of the Committee at least seven (7) days prior to the meeting.

## **CHAPTER 4 CONGRESSIONAL DISTRICT COMMITTEES**

### **400. Membership and Duties**

1. *Membership.* Each Congressional District Committee shall consist of the members of the DSC from that Congressional District.
2. *Duties.* As prescribed by State law, the District Committee shall fill a vacancy of the Congressional candidate when one occurs.

## **Chapter 5 Biennial Caucuses & Conventions**

### **500. Mandate**

1. The Maine Democratic Party (MDP) shall hold biennial municipal caucuses in accordance with 21-A MRSA §§ 311-315 as amended.
2. The MDP shall hold a biennial convention in accordance with 21-A MRSA §§ 321-322 as amended.
3. These mandated meetings shall be held in accordance with Maine Law, Democratic National Committee rules, the MDP Charter and such other rules and procedures as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention.

## **510. Biennial Municipal Caucus.**

1. There shall be a Uniform Caucus Period (UCP) which shall be the first consecutive Saturday and Sunday in February of even numbered years.
2. For purposes of participation in a Biennial Municipal Caucus a voter whose legal residence is in an unorganized territory shall be considered a resident of the municipality where that voter is registered to vote.
3. Each caucus will elect delegates and alternates to the MDP state convention, elect members to its county committee, and approve municipal committee bylaws or vote to join or leave a regional committee, and elect municipal officers unless a different date for election is specified in its bylaws.
  - a. Each caucus will also perform other duties required by the DSC.
  - b. Each caucus will report its results in forms provided by the DSC.
  - c. Municipalities who become part of a regional committee will retain their numbers of state convention delegates and alternates and county committee members.
4. Each Municipal Caucus shall elect delegates and alternates to the State Convention, apportioned among municipalities in proportion to the votes cast for the Democratic candidate for President or Governor in the general election preceding the Convention. The number of delegate positions allocated to a municipality shall be 3500 times the vote in the municipality divided by the total statewide vote, rounded to the nearest whole number but no less than one.
5. Any Democrat may challenge one or more Delegates or Alternates certified to the State Convention by notifying State Headquarters in writing in accordance with such Rules and Procedures as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention.
6. If a Municipal Caucus fails to fill one or more allocated delegate or alternate positions, or if a vacancy occurs in an alternate position or in a delegate position for which there is no eligible alternate from the same municipality, the vacancy may be filled by Municipal, Regional or County level meetings up to fourteen (14) days before the convention in accordance with such Rules and Procedures as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention..
7. The Credentials Committee will fill remaining vacancies and upgrade alternates according to the Rules & Procedures as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention.

## **520. Call to the Convention**

1. The State Convention shall be held in each even-numbered year, at a site selected by the DSC, before the Maine primary election for gubernatorial, Congressional, and legislative nominations.
2. The DSC Chair shall issue the Call to the Convention no later than October 31<sup>st</sup> of each odd numbered year.

The Call shall include:

  - A. The time and place of the State Convention.
  - B. The apportionment of State Convention Delegates and Alternates to each Municipality within the State.
  - C. The dates during which each Municipality may hold its Caucus, and the allowable times.
  - D. The purposes for which the State Convention is to be held, which shall include:
    - (1) To review the Charter of the Maine Democratic Party.
    - (2) To elect the DSC and to approve its Bylaws.
    - (3) In Presidential election years, to elect delegates and alternates to the Democratic National Convention.
    - (4) If a National Party Conference has been called, to elect delegates and alternates to the Conference.
    - (5) In Presidential election years, to nominate Presidential Electors.
    - (6) In Presidential election years, to nominate National Committee members, in accordance with the national party rules.
    - (7) To review and amend the Platform of the Maine Democratic Party.
    - (8) To transact any other business that may properly come before the State Convention.
  - E. When applicable, the number of Delegates and Alternates to the National Convention or National Conference to be elected in each category.



## 530. Caucuses and State Conventions in the Time of a Pandemic and/or Emergency

1. A decision on whether to invoke this section will be made by the Maine DSC at the request of the MDP Chair. If there is not sufficient time for the DSC to act, the MDP Executive Committee may make the decision.
2. A Hybrid or remote caucuses and/or convention shall be run in accordance with Rules & Procedures and Standing Rules as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention.

## 540. Organizational Reports.

At its opening session, the Convention shall consider the following three reports in the following order and shall adopt them subject to such amendments as the Convention determines to be necessary:

1. *Credentials Report.* The Credentials Report shall be the responsibility of the Committee on Credentials and shall, at a minimum, contain the roster of registered Delegates and Alternates, a summary of the number of delegates and alternates registered by county, and recommendations on all challenges. The only business that may be conducted before the adoption of the Credentials Report is business that may customarily be conducted in the absence of a quorum.
2. *Rules Report.* The Rules Report shall be the responsibility of the Committee on Rules and shall include such proposed special and standing rules as are considered necessary for the conduct of the Convention.
3. *Program Report.* The Program Report shall be the responsibility of the Executive Committee and shall include the schedule of meetings, proceedings, and special events for the Convention. Upon its adoption it shall become the Permanent Agenda and Order of Business of the Convention.

## 550. Standing Committees of the State Convention

1. *Establishment.* The Standing Committees of the State Convention shall consist of a Committee on Credentials and a Committee on Platform.
  - A. *Notice to Counties and ADOs.* No later than June 30<sup>th</sup>, the State Headquarters shall send to the Chair of each County Committee and ADO the names and addresses of the members of the Standing Convention Committees.
  - B. *Reports to the DSC.* Each Standing Convention Committee may submit a report to the DSC, as soon as practicable after the Convention. The report may include recommendations on relevant aspects of Convention procedure.
  - C. *Term of Service.* Each Standing Convention Committee shall serve until its final committee report to the DSC or until the end of the calendar year in which the State Convention is held, whichever comes first.
  - D. *Officers.* Each Standing Convention Committee shall elect a Chair and Vice-Chair from among its members, and shall elect a Secretary who need not be a member.
2. *Committee on Credentials:*
  - A. *Purpose and Duties.* The Committee on Credentials shall consider whether or not to seat delegations elected at caucuses not held during the UCP, as required and as required by the Rules and Procedures as are proposed by the Rules Committee and adopted by the DSC and/or the State Convention..
  - B. *Membership.* The Committee on Credentials shall consist of one (1) member elected by each County Committee who shall not be the County Chair and one (1) member elected by the Diversity, Equity and Inclusion Committee (DEI). These elections shall take place no later than May 31<sup>st</sup> of the year preceding the State Convention,
  - C. *Meetings:*
    - (1) The DSC Chair shall call the organizational meeting of the Committee on Credentials, and shall give notice of the meeting by June 30<sup>th</sup> of the year preceding the State Convention. The organizational meeting shall be held no later than October 30<sup>th</sup> of odd numbered year. If the Chair fails to call the organizational meeting as required, any three (3) members may call the meeting with at least three (3) weeks' written notice to all members and to the DSC.
    - (2) The Committee on Credentials shall meet at the State Convention as necessary for the performance of its duties.
    - (3) Additional meetings shall be held as determined by the Committee or upon the call of its Chair.
3. *Committee on Platform:*
  - A. *Purpose and Duties.* The Committee on Platform shall manage the process for developing and reviewing proposals to amend the Platform in accordance with Chapter 6 of this Charter.

B. *Membership:*

- (1) The Committee on Platform shall consist of:
  - (a) Members elected by the County Committees apportioned in the same manner and number as the Elected Members of the DSC in accordance with Subsection 710(2), and if possible gender-balanced;
  - (b) Two (2) members elected by the Maine College Democrats, if represented on the DSC;
  - (c) Two (2) members elected by the Maine Young Democrats, if represented on the DSC;
  - (d) Two (2) members elected by each Affiliated Democratic Organization (ADO);
  - (e) Two (2) members elected by the Diversity, Equity, and Inclusion Committee (DEI); and
  - (f) Three (3) members elected by the DSC. The three (3) members elected by the DSC may not serve as officers of the Committee on Platform.
- (2) An organization may remove one or more of its representatives by two-thirds (2/3) vote.

C. *Meetings:*

- (1) The DSC Chair shall call the organizational meeting of the Committee on Platform, and shall give notice of the meeting by June 30<sup>th</sup> of the year preceding the State Convention. The organizational meeting shall be held no later than September 15<sup>th</sup>. If the Chair fails to call the organizational meeting as required, any ten (10) members may call the meeting with at least three (3) weeks' written notice to all members and to the DSC.
- (2) The Committee on Platform shall meet at the State Convention as necessary for the performance of its duties.
- (3) Additional meetings shall be held as necessary to comply with Chapter 6 of this Charter and as determined by the Committee or upon the call of its Chair.

## **560. Uniform Petition and Election Procedures:**

1. *Who May Sign.* Unless otherwise expressly provided in the Delegate Selection Plan, Alternates shall have the right to sign any petitions that require State Convention signatures, and Alternate Members shall have the right to sign any petitions that require State Committee signatures. Eligibility to sign a petition shall be determined by the status as a Delegate, Alternate, or State Committee Member or Alternate, and if applicable the signer's residence within a district, as of the time the petition is signed. A signer of a petition may not be prohibited from signing additional petitions simply on the ground of having already signed a competing petition. If a signature is challenged, the burden of proof shall be on the challenger.
2. *Availability of Petitions.* Forms for all Petitions that are to be submitted to the State Convention shall be made by January 1<sup>st</sup> of each even numbered year.
3. *Method of Filing.* All signed Convention petitions and all Credentials challenges must either be sent by certified mail with return receipt; hand delivered to State Party headquarters with a receipt given to the bearer; or submitted to State Party headquarters by electronic mail with an image of the original petition attached, legibly showing all signatures.
4. *Filing Deadline.* All Convention petitions required by this Charter must be received no later than 5:00 p.m., at least fourteen (14) days before the opening of the State Convention, except that petitions filed by certified mail shall be accepted after the filing deadline if mailed at least seven (7) days before the deadline. If a petition is filed by electronic mail, the signed original must be mailed or hand-delivered no later than the first business day after the filing date.
5. *Order of Names on Ballots.* A public drawing shall determine the position of each candidate on a ballot. Timely notice of the time and place of the drawing must be given to each candidate and posted on the Maine Democratic Party website, and a sample ballot must be prepared and furnished to each candidate as soon as possible after the drawing.
6. *Uncontested Elections.* If the number of eligible candidates who have filed valid petitions is less than or equal to the number of positions to be filled, subject to any applicable gender balance requirements, all candidates listed on the ballot who receive at least one vote are elected.
7. *Write-ins.* Except where specifically provided in this Charter, write-in voting at the State Convention shall be allowed only for the open positions remaining after all uncontested positions are filled in accordance with Subsection 6. To win, a write-in candidate must receive a number of votes at least equal to the number of petition signatures necessary to have been placed on the ballot.
8. *Withdrawal of Petition.* If a candidate has qualified to run for a position or a valid and timely petition to amend the Platform or Charter has been filed, the candidate or petition sponsor may only withdraw the candidacy or petition by submitting notice in writing to the MDP or by stating the intent to withdraw on the record to the Convention while it is in session.
9. *Reporting of Results.* When known, numerical results of elections conducted at the Convention shall be recorded and shall be made available immediately to a candidate or petition sponsor, and shall be available on request within a reasonable time to any Delegate or Alternate.

10. *Authorization of Electronic Balloting.* The DSC may authorize one or more votes to be done electronically but such electronic balloting shall not start earlier than seven (7) days before the convening of the Convention.
11. *Preservation of Ballots.* All paper ballots that are cast at the Convention shall be preserved by the Maine Democratic Party and made available for inspection by any member of the Maine Democratic Party for at least two months after the close of the Convention or until such time as any known challenges have been resolved, whichever comes later.

## **570. Delegate Selection Plan & Affirmative Action Plan (DSP)**

1. *Delegate Selection & Affirmative Action Plan (DSP).* Election of National Convention delegates and alternates and members of standing committees shall be governed by the Delegate Selection and Affirmative Action Plan (DSP) adopted by the DSC after consultation with the Committee on Rules.
2. *Development and Submission of DSP.* In time to comply with the schedule established by the National Democratic Party, and no later than March 1<sup>st</sup> in the year before each Presidential election year, the Committee on Rules shall submit a draft Delegate Selection Plan to the Executive Committee, which shall review the draft and present a Proposed Delegate Selection Plan for consideration by the DSC. After the DSC adopts a Proposed Delegate Selection Plan, it shall expose it for public comment, and shall consider the comments received before adopting a final Delegate Selection Plan.
3. *Challenges.* The DSP shall clearly explain the procedure for challenges to the DSP, or to the Maine Democratic Party's compliance with the DSP, consistent with rules established by the Democratic National Committee. Issues relating to the DSP or compliance with the DSP may also be brought to the Grievance Committee.
4. *Conference Delegates and Alternates.* All rules for the election of delegates and alternates to the Democratic National Convention in presidential election years, except rules relating to presidential preference, shall also apply if a National Party Conference is convened.

## **580. Election of Democratic National Committee Members**

1. *Nomination.* Any Maine Democrat may be a candidate to represent Maine on the Democratic National Committee. Nomination shall be by petition filed in accordance with Section 560, signed by at least twenty-five (25) Delegates or Alternates to the State Convention. The candidates shall be listed separately by gender on a single ballot to be prepared by State Headquarters.
2. *Election.* Maine's representatives shall not be of the same gender. Election shall be by majority vote. Secret ballots shall be used unless the National Democratic Party requires signed ballots.

## **590. Nomination of Presidential Electors (Electoral College)**

1. *Nomination.* The State Convention shall elect two Democratic nominees for presidential elector from each Congressional District. Any enrolled Democrat residing within the district is eligible to serve. Nomination shall be by petition filed in accordance with Section 560, signed by at least twenty-five (25) Delegates or Alternates to the State Convention who reside within the District.
2. *Election.* The Delegates representing each district shall elect that district's nominees by secret ballot. All candidates running in the district shall be listed on a single ballot. The candidate who receives the highest number of votes shall choose whether to serve as the nominee for District Elector or as the district's nominee for At-Large Elector. The candidate who receives the next-highest number of votes and is not of the same gender shall serve as the district's other nominee. Ties shall be broken by public coin toss.

# **CHAPTER 6 MAINE DEMOCRATIC PARTY PLATFORM**

## **600. Platform Established**

1. *Platform as standing document.* The Democratic Party of the State of Maine shall have a Platform, which shall be a permanent standing document.
2. *Publication.* Within thirty (30) days after the adjournment of the State Convention the Platform shall be:
  - A. Published on the Maine Democratic Party Website;
  - B. Distributed to each Daily Newspaper in the State;
  - C. Distributed to each Democratic Candidate for State or Federal Office in the State of Maine;
  - D. Distributed to each member of the DSC; and
  - E. Made available upon request to any member of the Maine Democratic Party.

## **610. Statewide Participation**

1. *Local meetings.* The Committee on Platform shall encourage all Municipal Committees, County Committees, and ADOs to hold public meetings, in summer or early fall of each odd-numbered year, to discuss any amendments they wish to recommend to the Platform.
2. *Role of DSC.* The DSC shall supply copies of the Platform, reporting forms and suggested operating guidelines and may supply topic areas for discussion, without suggesting the direction such discussions should take.
3. *Report to Committee.* These reports shall be forwarded to the Committee on Platform by October 30th.

## **620. Proposal of Amendments to Platform**

1. *Exclusive authority of Convention.* Only the Democratic State Convention may make amendments to the Platform.
2. *Methods for proposing amendments.* Amendments may be proposed for consideration to the Convention by one of the following methods:
  - A. By resolution of the Committee on Platform submitted to the Convention in accordance with Section 630;
  - B. By petition, signed by at least twenty-five (25) Delegates and/or Alternates and submitted in accordance with Section 560;
  - C. By resolution of a County Committee filed in accordance with Section 560 at least fourteen (14) days before the Convention;
  - D. By resolution of an ADO filed in accordance with Section 560 at least fourteen (14) days before the Convention;
  - E. By resolution of the Democratic caucus of the Maine House of Representatives or Maine Senate, filed in accordance with Section 560 at least fourteen (14) days before the Convention; or
  - F. After all other proposed amendments have been considered, amendments may be proposed from the floor of the Convention if at least 500 copies of the text of the proposal have been made available for circulation among the delegates and the amendment has been seconded by at least one-fifth (1/5) of the convention delegates present.
3. *Distribution to Convention.* The Committee on Platform shall provide written copies of all amendments submitted before the Convention to Delegates and Alternates when they register.

## **630. Recommendations of the Committee on Platform**

1. *Initial proposal.* The Committee on Platform shall develop a package of recommended amendments to the Platform to submit to the Convention, or a resolution recommending that the existing Platform be readopted without amendment. The Committee's recommendations shall be adopted in final form no later than March 1 of each even-numbered year, published on the Maine Democratic Party Website, and distributed to all County Chairs. The Committee shall then hold public hearings at convenient places around the State.
2. *Final recommendations of Committee.* The Committee on Platform shall meet immediately before the Convention and make recommendations on all proposed amendments that have been filed with the Committee in accordance with Section 620 or published by the Committee in accordance with Subsection 1 of this Section. Any twenty-five (25) members may propose revised or alternative language to submit to the Convention along with the original proposal.
3. *Consent Calendar.* Any recommendations of the Committee on Platform adopted by at least a two-thirds (2/3) vote shall be placed on a Consent Calendar unless the Committee by majority vote determines that the matter should be debated by the Convention.
4. *Removal from Consent Calendar.* At the Convention, any item may be removed from the Consent Calendar upon request of any delegate with the concurrence of at least one-fifth (1/5) of the delegates present. Before the vote on whether to remove the item from the Consent Calendar, the maker of the request shall be given up to two (2) minutes to state the reasons for the request.
5. *Adoption of Consent Calendar.* All recommendations of the Committee on Platform remaining on the Consent Calendar shall be considered before any other amendments to the Platform and shall be voted on as a single item.

## **640. Debate on Amendments to Platform**

1. *Rotation of speakers.* No one may speak for more than two (2) minutes on any one amendment.
2. *Process for extending debate.* After three (3) delegates have had the opportunity to speak on each side to any one amendment, the Chair of the Convention shall take a vote on whether to continue debate on the amend-

ment if requested by any delegate. If at least one-third (1/3) of the convention delegates present and voting favor continuing debate, an additional three speakers on each side shall have the opportunity to be heard, followed by another opportunity to continue debate in accordance with this Subsection. Otherwise, the amendment shall be brought immediately to a vote.

3. *Process for ending debate.* Once debate on the Platform has started it may not be interrupted for other business other than the conduct of elections and the casting of ballots until all platform amendments have been voted on, except by a two-thirds (2/3) vote of the convention.

## **650. Ratification of Platform**

1. *Form of submission of proposals.* The question to be put before the Convention on the Consent Calendar and on each subsequent amendment, or set of amendments to be voted on as a unit, shall be "Does the Convention accept the Platform with the amendment(s) that is (are) now before you?"
2. *If Convention fails to act.* If, for any reason, the State Convention does not approve the Consent Calendar or any amendments, the Platform shall be considered as ratified without amendment upon the adjournment of the State Convention.

# **CHAPTER 7 DEMOCRATIC STATE COMMITTEE (DSC)**

## **700. Establishment & Powers**

1. *Establishment.* There shall be established a Maine Democratic State Committee, herein referred to as the DSC.
2. *Purpose.* The DSC's purpose shall be to promote the ideals, platform, and nominated candidates of the Democratic Party of Maine.
3. *Powers and Duties.* The DSC is the supreme governing body of the Maine Democratic Party when the State Convention is not in session. Between State Conventions, it shall exercise the authority of the Convention, shall provide direction and supervision of the affairs of the Party, and shall determine all questions about the regularity of organization within the Maine Democratic Party. After receiving the minutes of the Convention submitted by the Convention Permanent Secretary, the DSC shall vote on approval or revision of the minutes at its first meeting for which timely notice can be given. Upon approval by the DSC, the Convention minutes shall be kept on permanent file by the Party and available for inspection by any Maine Democrat.
4. *Executive Committee.* The DSC shall have an Executive Committee, consisting of Party Officers, Democratic public officials or their representatives, and such other members as the DSC shall specify in its bylaws. The Executive Committee shall have general supervision of the affairs of the DSC between meetings of the DSC.
5. *Declaration of Contested Nomination..* At a meeting held no later than October of the year preceding each presidential election year, the DSC shall evaluate whether, to the best of its members' knowledge and understanding, the Democratic nomination for President is contested, and shall vote on a resolution certifying whether or not there is a contest. The Chair shall certify the result to the Secretary of State no later than November 1, or such earlier deadline as may be specified by state law.

## **710. Membership and Apportionment**

1. The membership of the DSC shall consist of the following classifications:
  - A. Elected Membership;
  - B. *Ex Officio* Membership;
  - C. Non-voting *Ex Officio* Membership; and
  - D. Alternate Membership.
2. The Elected Membership of the DSC, chosen in accordance with Section ~~78~~20 of this Charter, shall consist of:
  - A. Two (2) members from each County;
  - B. One (1) additional member from each County for each 10,000 Democrats, or major fraction thereof, enrolled in that County, based upon data obtained from the Secretary of State. The State Democratic Party shall request the number of enrolled Democrats in each county on April 1 of each even-numbered year or the next business day thereafter, and shall notify each County Chair of the number of Elected Members allocated to that county within five (5) days after receiving the enrollment information; and
  - C. Two (2) members from each of the following organizations:
    - (1) The Maine College Democrats;
    - (2) The Maine Young Democrats.

3. The *Ex Officio* Membership of the DSC shall consist of:
  - A. The elected officers of the DSC;
  - B. The Chair of each County Committee;
  - C. Two members of the Maine Senate, chosen by and serving at the pleasure of the Senate Democratic Caucus;
  - D. Four members of the Maine House of Representatives, chosen by and serving at the pleasure of the House Democratic Caucus;
  - E. The Chair, or equivalent officer, of each Affiliated Democratic Organization;
  - F. The Maine representatives to the Democratic National Committee elected pursuant to Section 560 of this Charter;
  - G. The Chair of the Finance Committee;
  - H. The Chair of the Rules Committee; and
  - I. The Chair of the Platform Committee, from election until the close of the State Convention.
4. The Non-voting *Ex Officio* Membership of the DSC shall consist of the General Counsel and the Executive Director.
5. Each County Committee shall elect two Alternate Members to the DSC, who shall have all the rights of membership, except that the right to vote shall be limited as provided below.
  - A. One Alternate Member shall serve as alternate to the County's Elected Members and may vote only when one of the County's Elected Members is absent or there is a vacancy in office. This Alternate Member shall be elected at the State Convention and shall be the first runner-up among all the candidates for the County's Elected Member positions.
  - B. The other Alternate Member shall serve as alternate to the County Chair and may vote only when the County Chair is absent or is also serving on the DSC in some other voting capacity. This Alternate Member shall be elected by the County Committee at the time as the officers are elected, and the County Committee bylaws may provide for this Alternate Member to be a County Committee officer serving *ex officio*. If there is a vacancy in the office of County Chair and the Acting County Chair is different from the Alternate Member, the Acting County Chair shall assume the County Chair's position on the DSC until the vacancy is filled.
6. No individual may serve simultaneously in more than one membership class. Service as an Elected Member or Alternate Member ends immediately upon assuming any office entitled to *Ex Officio* Membership, and the Elected Member position becomes vacant. This subsection does not restrict an *Ex Officio* Member from holding multiple offices, but each voting member has only one vote regardless of the number of offices held.

## **720. Nomination, Election and Term of Office of Elected Members**

1. *Nomination.* Candidates for Elected Membership to the DSC shall be nominated using the following method:
  - A. Nomination papers shall be prepared and made available by the State Headquarters in advance of the municipal caucuses, no later than the date specified in Subsection 560(2).
  - B. Any Democrat seeking to serve as an Elected Member of the DSC shall submit to the State Headquarters, in accordance with Section 560, a petition bearing ten (10) signatures of Convention Delegates and/or Alternates from the candidate's County. In the event that an insufficient number of candidates are nominated by petition to elect a complete gender-balanced delegation, provision shall be made for write-in candidates, but to contest only for those seats left vacant by the petition process.
  - C. A list of candidates for nomination to Elected Membership on the DSC shall be prepared by the Democratic State Headquarters, and provided to all Delegates of their respective Counties upon registration at the Convention.
  - D. From the list of candidates, a ballot shall be prepared for each County. Delegates may vote for as many candidates for nomination as there are Elected Memberships to the DSC from their respective Counties, as provided in Section 710 of this Charter.
  - E. The nominees shall be the candidates receiving the most votes, except when that would result in a delegation that is not gender balanced.
  - F. No County shall nominate to the State Convention more candidates for the DSC Elected Membership than the county is allocated.
2. *Election.* Elected Members of the DSC shall take office (be elected) upon ratification of the nominations of the Counties by the State Convention.
3. *Term of Office.* Elected Members of the DSC shall serve a term of two (2) years or until their successors are elected.
4. *Representatives of designated organizations.* Subsections 1 through 3 do not apply to the Elected Members representing the organizations designated in Paragraph 710(2)(C). Two representatives, who may not be of the same gender, shall be elected by each organization, no less often than in alternate years, at a statewide meet-

ing or convention of the organization, and shall take office immediately upon election. Each organization shall establish procedures for conducting elections and filling vacancies.

- A. Each organization that elects representatives to the DSC pursuant to this Subsection shall notify the DSC Secretary and Executive Director in writing of the results of elections no more than fourteen (14) days after the election was conducted. The notice shall include contact information of those elected, and a certification that the organization is active on a statewide basis and that the election was conducted in accordance with the appropriate procedures.
- B. Each organization that elects representatives to the DSC pursuant to this Subsection shall file a copy of its most current bylaws, or a statement verifying that the copy most recently filed is still current and accurate, at the time it certifies the election of its representatives.

## **730. Rights & Duties of Members**

1. Elected Members shall report the results of each DSC meeting to their respective County Committees. They shall also report the activities of their respective County Committees to the DSC.
2. All classifications of DSC membership are entitled to receive a copy of the minutes of all DSC meetings and of all financial reports.

## **740. Resignation, Removals, & Vacancies**

1. *Resignation.* Any Elected Member of the DSC may resign from the DSC. The resignation shall be made in writing and shall take effect at the time specified therein, or if no time is specified, then it shall take effect upon receipt by the DSC Chair or Secretary.
2. *Removals:*
  - A. A County Committee may remove any of the county's Elected Members or Alternate Members of the DSC. Removal shall require a vote of two-thirds (2/3) of the County Committee members present and voting at a meeting called for that purpose by written notice given at least seven (7) days before the meeting.
  - B. An Elected Member or Alternate Member who ceases to meet the qualifications for membership under Section 120 of this Charter is automatically removed from office.
  - C. The DSC may establish attendance requirements and provide in its bylaws for removal of members who fail to comply with those requirements.
3. *Vacancies.* The DSC Chair shall inform the appropriate County Committee Chair, County Committee Secretary and the ex-member of the DSC of any removal or declared vacancy. Any vacancy in the office of Elected Member or Alternate Member shall be filled for the unexpired term of the vacancy by vote of that County Committee, preserving the required gender balance in the County's delegation of elected members.

## **750. Elected Officers**

1. *Officers.* The Officers of the DSC shall consist of a Chair, Vice-Chair, Secretary, Treasurer, and Assistant Treasurer.
2. *Election and term of Office:*
  - A. The election of Officers shall take place at the first regular meeting of the DSC in each odd-numbered year, which shall be held in January unless inclement weather or other emergency requires postponement.
  - B. The DSC Chair shall call the meeting for the purpose of the election of officers. Should there be no Chair, then the Vice-Chair; if no Vice-Chair, then the Secretary; if no Secretary, then the Treasurer; if no Treasurer, then any five (5) Committee members shall call the meeting and duly notify the members.
  - C. At this meeting, the members present shall elect, by a majority written vote, the Elected Officers of the DSC.
3. *Duties of Elected Officers of the DSC.* The Elected Officers of the DSC shall have the following duties. When these duties are delegated, the officer remains responsible for their faithful performance.
  - A. *Duties of the Chair:*
    - (1) The Chair shall be the Chief Executive Officer of the Maine Democratic Party, and shall comply with all legal requirements relating to that office. The Chair shall act on behalf of the Maine Democratic Party as specified by the DSC, consulting with the DSC and Executive Committee as necessary and appropriate.
    - (2) The Chair shall represent the State of Maine on the Democratic National Committee, unless otherwise provided by DNC rules.
    - (3) The Chair shall see that the municipal caucuses and State Convention are held in accordance with State Law.

- (4) The Chair, after consultation with the Executive Committee, shall present a proposed annual budget to a meeting of the DSC no later than November of each year.
- (5) The Chair shall be, unless otherwise specified, a non-voting *ex officio* member of every subcommittee of the DSC, of the Committee on Rules, and of the Committees of the State Convention.
- (6) The Chair shall serve as chair of the Coordinated Campaign Steering Committee, or designate a chair.
- (7) The Chair shall perform such other duties as specified by this Charter or the DSC.

B. *Duties of the Vice-Chair:*

- (1) The Vice-Chair shall be vested with all the powers and shall perform all the duties of the Chair in the Chair's absence.
- (2) The Vice-Chair shall be, unless otherwise specified, a non-voting *ex officio* member of every subcommittee of the DSC, of the Committee on Rules, and of the Committees of the State Convention.
- (3) The Vice-Chair shall represent the State of Maine on the Democratic National Committee, unless otherwise provided by DNC rules.
- (4) The Vice-Chair shall perform any other duties as specified by this Charter or the DSC.

C. *Duties of the Secretary:*

- (1) The Secretary shall keep a full and accurate record of all DSC meetings and shall file a duplicate copy with the Chair.
- (2) The Secretary shall maintain and make available an accurate record of the membership of the DSC and all other committees established pursuant to this Charter.
- (3) The Secretary shall perform any other duties as specified by this Charter or the DSC.

D. *Duties of the Treasurer:*

- (1) The Treasurer shall keep full and accurate accounts and records of all receipts and of all disbursements and shall deposit all monies in the name of the "Democratic State Committee" in an authorized depository institution.
- (2) The Treasurer shall disburse the funds of the DSC as provided by this Charter, but only in accordance with the budget that has been adopted by the DSC.
- (3) The Treasurer shall render to the DSC a report of all transactions and a report of the financial condition of the Democratic Party.
- (4) The Treasurer of the DSC shall make available a monthly statement of income and expenses to all DSC members.
- (5) The Treasurer and/or the designee of the DSC shall sign all checks, drafts, and orders for the payment of money.
- (6) The Treasurer shall file with the Secretary a corporate bond, issued by a surety company licensed in the State of Maine, in such amount as the DSC shall determine.
- (7) The Treasurer shall promptly make all reports required by State and Federal Law.
- (8) The Treasurer shall perform any other duties as specified by this Charter or the DSC.

E. *Duties of the Assistant Treasurer:*

- (1) The Assistant Treasurer shall be vested with all the powers and shall perform all the duties of the Treasurer in the Treasurer's absence, including the power to sign checks, drafts, and orders for the payment of money.
- (2) The Assistant Treasurer shall perform any other duties as specified by this Charter or the DSC.

F. *Board of Directors.* The Elected Officers of the DSC shall serve as the Board of Directors of the Maine Democratic Committee Corporation, or any similar or successor corporate entity, to be confirmed annually.

4. *Resignations, Removals & Vacancies:*

A. *Resignation.* Any Elected Officer of the DSC may resign from Office. The resignation shall be made in writing and shall take effect at the time specified therein, or if no time is specified, then it shall take effect upon receipt by the DSC Chair or Secretary. The resignation may specify that it is effective upon the election of a successor.

B. *Removals:*

- (1) The DSC may remove any Elected Officer. Removal shall require a vote of two-thirds (2/3) of the DSC members present and voting at a meeting called for that purpose by written notice given at least seven (7) days before the meeting.
- (2) The quorum for this special meeting shall be two-thirds (2/3) of the voting membership of the DSC.
- (3) An Elected Officer who ceases to meet the qualifications for membership under Section 120 of this Charter is automatically removed from office.

C. *Vacancies.* Any vacancy in the offices of the DSC shall be filled promptly, at the next regular or special meeting of the DSC for which adequate notice may be given. Written notice of the election must be given at least seven (7) days before the meeting.



## **760. Meetings**

1. *Regular Meetings:*
  - A. A Regular meeting of the DSC shall be held at least once every three (3) months.
  - B. The Executive Committee of the DSC may schedule additional Regular Meetings of the DSC.
2. *Special Meetings:*
  - A. The DSC Chair may call special meetings at any time.
  - B. The DSC Chair shall call special meetings upon the written request of at least five (5) voting members of the DSC.
  - C. Only the business mentioned in the written notice of a special meeting may be transacted at that meeting.
3. *Notification of Meetings:*
  - A. Written notice of all meetings shall be sent to all DSC members as provided in the DSC bylaws.
  - B. Written notice shall state the time, place, and agenda of the meeting.
4. *Quorum.* Except as otherwise provided in this Charter, the DSC shall establish its quorum requirements in its bylaws.

## **770. Bylaws & Rules of Order**

1. *Establishment.* Following consultation with the Committee on Rules, the DSC shall adopt bylaws and rules of order by a two-thirds (2/3) vote, providing they are in agreement with the Maine Democratic Party Charter.
2. *Amendment.* The bylaws shall establish procedures by which the bylaws may be amended by the DSC.
3. *Right of Review by the State Convention.* The DSC's bylaws shall be subject to amendment by the State Convention in the same manner as provided for amending this Charter by petition.
4. *Standing Subcommittees.* The bylaws shall provide for establishment of such standing subcommittees as the DSC deems appropriate, including a subcommittee on Finance as provided in Chapter 9 of this Charter.

# **CHAPTER 8 ADMINISTRATION AND FINANCE**

## **800. State Headquarters**

A State Headquarters shall be maintained in the State Legislative Capital of Maine or in one of the neighboring municipalities.

## **810. Personnel and Operations**

The Executive Director's management of the personnel and operations of the Maine Democratic Party shall be subject to oversight by the Executive Committee.

## **820. General Counsel**

1. The General Counsel shall be an attorney-at-law in good standing with the Bar of the State of Maine and shall be appointed by the DSC Chair subject to the advice and approval of the DSC.
2. The General Counsel shall provide legal counsel to the Chair, the DSC and to such official Democratic organizations as designated by the DSC.

## **830. Executive Director**

1. *Selection.* The Executive Director shall be a full time salaried employee of the Democratic Party, appointed by the DSC Chair, subject to the advice and approval of the DSC.
2. *Duties of the Executive Director:*
  - A. The Executive Director shall be in charge of the personnel and operations of the Maine Democratic Party, subject to the oversight of the Executive Committee.
  - B. The Executive Director shall hire, fire, and determine the salary of all other employees working at the State Headquarters, subject to the approval of the DSC Chair and in accordance with such personnel policies as are determined by the Executive Committee.
  - C. The Executive Director shall do research for, and make recommendations to, the DSC and its Executive Committee.

- D. The Executive Director shall maintain at the State Headquarters a current list of all Democratic County and Municipal Committees, which shall be available for examination or copying by any Democrat.
- E. The Executive Director shall perform such other duties as directed by the DSC Chair and the DSC.

#### **840. Finance Subcommittee**

The finances of the Maine Democratic Party shall be subject to oversight by the Finance Subcommittee of the DSC. The Treasurer of the DSC shall be a nonvoting *ex officio* member of the Finance Subcommittee. The remaining members shall serve at the pleasure of the DSC. The Finance Subcommittee or its designees shall have the authority to review or audit the financial records of all organizations created under this Charter, and all subsidiary bodies created by such organizations. The Finance Subcommittee shall report to each regular meeting of the DSC, after first submitting its report to the Executive Committee for review and opportunity to comment.

#### **850. The Annual Budget**

- 1. The Finance Subcommittee shall prepare and submit to the DSC Executive Committee a proposed Annual Budget by October of each year. This Annual Budget shall include an estimate of expected income.
- 2. The DSC Executive Committee shall submit a proposed Annual Budget to the DSC by November of each year.
- 3. The DSC shall pass or reject the Annual Budget as a single, non-divisible, resolution. The DSC may, however, amend the Annual Budget, as it deems proper, provided that the DSC authorizes no expenditures that exceed expected income.
- 4. If, for any reason, the DSC does not approve the Annual Budget the previous Fiscal Year's Annual Budget shall go into effect.

#### **860. The Fiscal Year**

The fiscal year of the Democratic Party shall be from January through December, unless otherwise determined by State or Federal Law.

#### **870. Incurring and Paying of Expenses; Books and Records**

- 1. No capital expenditures nor any obligations to finance such expenditures shall be incurred on behalf of the Democratic Party unless authorized by a vote of the DSC. The Treasurer of the DSC may authorize payments for non-capital expenditures on behalf of the Democratic Party.
- 2. The State Headquarters shall retain copies of all paid bills for a period of two (2) years.
- 3. An independent auditor or accountant shall review the books and accounts reflecting operations in each fiscal year. The review shall be conducted no less frequently than biennially. The results of these reviews shall be made available to the DSC membership.

## **CHAPTER 9**

### **DEMOCRATIC NATIONAL COMMITTEE**

#### **900. Representation on Democratic National Committee**

The representatives of the Maine Democratic Party on the Democratic National Committee are the Chair and Vice-Chair of the DSC, provided that they are not of the same gender, and two National Committee members, not of the same gender, elected by the State Convention. If the Chair and Vice-Chair are of the same gender, the highest-ranking officer who is not of the same gender, shall serve in place of the Vice-Chair. The ranking of officers shall be determined according to the DSC Bylaws.

#### **910. Duties of National Committee Members**

National Committee members' duties include, but are not limited to:

- 1. Acting as a liaison between the National Committee and the DSC for the exchange of information concerning the activities and requirements of each committee; and
- 2. Reporting to the DSC on each National Committee meeting.

## **920. Vacancies**

Vacancies on the Democratic National Committee which occur during the interval between State Conventions shall be filled by an election by the DSC. The Chair shall schedule the election at the earliest meeting possible for which sufficient notice can be given. Election shall be by majority vote, in accordance with the procedures specified in the DSC Bylaws. The person chosen to fill the vacancy shall assume office when confirmed by the National Committee, and shall serve the remainder of the unexpired term.

## **930. Resignation and Removal**

1. *Resignation.* A member of the National Committee may resign by giving written notice to the Chair of the National Committee. A copy of the notice shall be sent to the DSC Chair. A resignation so tendered shall be effective immediately upon receipt.
2. *Removal.* A member of the National Committee shall be removed after any three (3) consecutive absences from Democratic National Committee meetings or any three (3) consecutive absences from DSC meetings. Any member so removed may be a candidate in the election to fill the vacancy.

# **CHAPTER 10 COORDINATED CAMPAIGN STEERING COMMITTEE (CCSC)**

## **1000. Purpose & Powers**

It shall be the purpose of the Coordinated Campaign Steering Committee (CCSC) to coordinate and provide services to all State level and Federal campaigns in which the Democratic Party has nominated candidates. These services shall include, but not be limited to, voter identification and persuasion, registration, absentee ballot initiatives, women's vote, get out the vote, and voter file maintenance and development.

## **1010. Membership**

1. The membership of the CCSC shall initially consist of one (1) representative appointed by each of the following:
  - A. The Democratic Candidate for President;
  - B. The Democratic Candidate for Governor;
  - C. The Democratic Candidate for the United States Senate;
  - D. The Democratic Candidate for the First Congressional District;
  - E. The Democratic Candidate for the Second Congressional District;
  - F. The Democratic State Senate Campaign Committee;
  - G. The Democratic State House Campaign Committee;
  - H. Jointly by the Chairs of the County Committees; and
  - I. The Chair of the DSC.
2. The CCSC may add such additional members as it deems necessary to fulfill its functions, except that no person may serve as a voting member of the CCSC who is not a member of the Democratic Party.

## **1020. Chair**

The DSC Chair, or the Chair's designee, shall serve as the Chair of the CCSC.

# **CHAPTER 11 AFFILIATED DEMOCRATIC ORGANIZATIONS (ADO)**

## **1100. Definition**

1. An Affiliated Democratic Organization (ADO) is any group recognized as such by a two-thirds (2/3) vote of the DSC, upon recommendation of the DSC Executive Committee or the ADO Advisory Committee.
2. All ADOs must meet the following minimum criteria:
  - A. Their entire voting age membership must consist of voters registered in Maine and enrolled in the Democratic Party;
  - B. They must represent a significant population of Democrats that is not otherwise adequately represented;
  - C. They must hold at least one membership meeting or convention biennially at which they elect state level officers; and
  - D. They must have a constitution or set of bylaws, filed with the State Headquarters.

3. An ADO shall lose its status upon:
  - A. Failure to meet the minimum criteria for a period of three (3) years; or
  - B. A two-thirds (2/3) vote of the DSC.

### **1110. ADO Advisory Committee**

1. *Purpose and Powers:*
  - A. The ADO Advisory Committee shall make recommendations to the DSC as to the status of ADOs.
  - B. The ADO Advisory Committee shall oversee ADOs and shall ensure that they meet and maintain the minimum requirements for ADO status.
  - C. The ADO Advisory Committee may suspend any and all privileges of any ADO, subject to review and reversal by the DSC, for up to a period of one (1) year.
2. *Membership.* The membership of the ADO Advisory Committee shall consist of the following:
  - A. One (1) person elected by the Finance Subcommittee;
  - B. The Chair, or equivalent officer, of each ADO;
  - C. Two (2) persons elected by each ADO; and
  - D. Three (3) persons elected by the DSC.
3. *Chair.* The DSC Chair, or the Chair's designee, shall serve as the Chair of the ADO Advisory Committee.

## **CHAPTER 12 DIVERSITY, EQUITY, AND INCLUSION COMMITTEE**

### **1200. Establishment**

A Diversity, Equity, and Inclusion Committee is established to expand the reach of the Maine Democratic Party to Mainers who have been underrepresented in its affairs, to foster a sense of belonging, and to promote Democratic values and fairness within the MDP.

### **1210. Bylaws & Reports**

The DEI Committee will operate according to its bylaws, which will set conditions of membership, elections, and other details. Its bylaws, and subsequent amendments, are subject to review by the MDP Rules Committee.

1. The DEI Committee's bylaws will require regular meetings.
2. Officers and other members of its leadership will be elected every two years.
3. The MDP shall have access to the DEI Committee's membership lists, minutes of meetings, and financial records.
4. The DEI Committee shall file any reports required by Maine state regulatory authorities.

### **1220. Voting Representation on Party Committees**

Notwithstanding other sections of this Charter, the DEI Committee will have a voting membership on the following committees of the Maine Democratic Party:

1. A member and an alternate to the Democratic State Committee;
2. Executive Committee;
3. Rules Committee;
4. The State Convention's Credentials and Platform Committees
5. Grievance Committee;
6. Finance Subcommittee (chair of DEI to sit as ex officio member); and
7. All ad hoc committees of the MDP.

## **1230. Affirmative Action Committee**

The DEI Committee will act as the Affirmative Action Committee, which recommends representation goals for the MDP's delegate selections for the national convention and helps to publicize the plan, particularly among underrepresented communities.

# **CHAPTER 13 GRIEVANCE COMMITTEE**

## **1300. Establishment & Purpose**

The Grievance Committee is established for the purpose of hearing and rendering fair and impartial decisions on disputes and controversies within the Party.

## **1310. Membership, Chair & Term of Office**

1. *Membership and Alternates:*
  - A. The Grievance Committee shall consist of six (6) members. The Chair shall be appointed by the DSC Chair with the advice and approval of the DSC, and two (2) additional members from each Congressional District shall be elected, and may be removed from office, by the DSC at the same time and in the same manner as the DSC's elected officers. The Diversity, Equity, and Inclusion Committee shall elect one (1) member to the Committee.
  - B. The Grievance Committee shall have two (2) Alternates, one (1) from each Congressional District, who shall be elected, and may be removed from office, by the DSC at the same time and in the same manner as the DSC's elected officers. An Alternate shall serve in the place of a member from the same Congressional District if that member is unable, for any reason, to serve.
2. *Terms of Office.* The term of office shall be two years, beginning upon the date the member is selected and ending upon the date the successor is selected. Any vacancy on the Grievance Committee shall be filled for the unexpired portion of the term by election or appointment in the same manner as the member being replaced.

## **1320. Jurisdiction and Filing Procedure**

1. Except as otherwise expressly provided by law, by this Charter, or by national Democratic Party rules, the Grievance Committee shall have jurisdiction over all matters and disputes arising from any action taken by a Municipal or County Committee, over personnel grievances by Maine Democratic Party employees not covered by a union contract, and over all other matters and disputes arising within the Maine Democratic Party referred to the Grievance Committee by the DSC Chair or by petition of any five (5) members of the DSC.
2. All grievances shall be filed in writing at State Party Headquarters by the aggrieved Democrat. The grievance shall include either a description of the Municipal or County Committee action and the date upon which it was taken, or a referral signed and dated by the DSC Chair or by five (5) members of the DSC. The person(s) filing the grievance shall be referred to as the Petitioner(s). The person(s) against whom the grievance is filed shall be referred to as the Respondent(s). The grievance shall be filed within 30 days after the action complained of, or within 30 days after efforts to adjudicate or resolve the dispute by some other means have resulted in a decision adverse to the Petitioner or have failed to reach an agreed resolution.

## **1330. Rules and Decisions**

1. All decisions concurred in by a majority, with the support of at least three (3) members of the Grievance Committee shall be final and binding upon all Maine Democratic Party meetings and officials, except that any decision of the Grievance Committee may be appealed to the DSC. The DSC Chair is hereby directed to issue such further and supplementary directives as may be necessary and proper to implement the decisions of this Committee. The Grievance Committee is further empowered and directed to adopt necessary and appropriate procedures to assure that each dispute and grievance is settled impartially, equitably, and according to rules of justice and fairness, subject to advice, approval, and review of the DSC.
2. If a party fails to appear at the hearing without having requested that the hearing be rescheduled, or after a request to reschedule was denied, the Grievance Committee may dispose of the matter by default. If the Grievance Committee determines that fairness requires further inquiry into the allegations in the petition, the hearing shall proceed as scheduled. A decision rendered in the absence of one of the parties may be set aside only if the absent party demonstrates good cause for the absence to the satisfaction of the Grievance Committee.

3. Within one (1) week after the hearing or a dismissal vote, the Grievance Committee shall send the parties, and the Chair of the DSC, a written report explaining the Grievance Committee's decision. The Grievance Committee's report shall be placed on the agenda of the next DSC meeting for which sufficient notice can be given. The decision of the Grievance Committee may be appealed to the DSC. The Grievance Committee's decision may be overturned at a DSC meeting, by a two-thirds (2/3) affirmative vote of the DSC members present and voting.

### **1340. Notice & Appeal**

1. *Notice.* The Executive Director shall ensure that within one (1) week after the grievance is filed, a copy of the grievance is sent to the Respondent(s), to all Grievance Committee Members, and to the DSC Chair, who shall promptly appoint a new Grievance Committee Chair if the position is vacant. Within one (1) week after receiving notice of the grievance, the Grievance Committee Chair shall send a written Notice of Hearing to all Grievance Committee members, Petitioners, and Respondents. The hearing date shall be between fifteen (15) and thirty (30) days after the day the Notice is sent, unless all parties agree to an earlier date or fairness requires a later date. In ruling on any request to reschedule a hearing, the Grievance Committee shall consider the reasons given for the request and the promptness with which the party made the request after learning of the inability to attend.
2. *Appeal.* Notice of appeal from the decision of the Grievance Committee to the DSC must be presented in writing to the DSC Chair within thirty (30) days after the date of the decision of the Grievance Committee.

### **1350. Alternative Procedure**

Nothing herein shall prevent preliminary adjudication of grievances by appropriate Grievance Committees at the county or municipal level, provided that the thirty (30)-day notice period shall begin at the time of the decision by the said county or municipal Grievance Committee. Nothing herein shall prevent the State Executive Director or DSC Chair from mediating disputes and rendering decisions related thereto, subject to appeal to the Grievance Committee.

## **CHAPTER 14 COMMITTEE ON RULES**

### **1400. Establishment**

There is established a permanent Committee on Rules, for the purpose of making and evaluating proposals to amend this Charter, the DSC Bylaws and Rules of Order, for providing guidance as to their interpretation, and such other duties as specified by this Charter or the DSC.

### **1410. Responsibilities and Authority**

1. *Recommendations to the Convention:*
  - A. The Committee on Rules may recommend Charter and DSC Bylaws amendments to the State Convention.
  - B. The Committee on Rules shall submit its recommendations in a written report to the Executive Committee and the DSC at least forty-five (45) days before the State Convention.
  - C. The DSC shall transmit the report of the Committee on Rules to each Delegate, Alternate, and County Chair at least thirty (30) days before the State Convention.
  - D. The Committee on Rules shall submit a supplemental report evaluating any amendments proposed by petition to the Charter or the DSC Bylaws. This report may include recommendations to adopt or reject one or more proposals, and may also include alternative language for the State Convention to consider.
2. *Recommendations to the DSC:*
  - A. The Committee on Rules may propose amendments to this Charter, the DSC Bylaws, or DSC Rules of Order to the DSC for adoption when the State Convention is not in session.
  - B. The Committee on Rules shall review any proposed amendments originating within the DSC or the DSC Executive Committee, and shall promptly report back to the DSC with recommendations. This report may include recommendations to adopt or reject one or more proposals, and may also include alternative language for the DSC to consider.
  - C. All reports by the Committee on Rules on proposed amendments shall first be submitted to the DSC Executive Committee for review and opportunity to comment.

3. *Consultation:*
  - A. The Committee on Rules, or a subcommittee it designates for that purpose, shall meet upon the request of DSC Chair, the DSC and any of its sub-committees, or any other body created by this Charter to advise on matters of interpretation of this Charter or the DSC Bylaws and Rules of Order.
  - B. The Committee on Rules shall be available for consultation at the State Convention.
  - C. The Committee on Rules may report to the Convention or the DSC on matters relating to adherence to National Democratic Party Rules and State statutes.
4. *Records:*
  - A. The Committee on Rules shall maintain the official edition of this Charter, and the DSC Bylaws and Rules of Order in both electronic and paper form, which shall be updated each time they are amended by either the State Convention or the DSC, and shall indicate the date of the most recent amendment.
  - B. The Committee on Rules shall also maintain, to the fullest extent possible, records of all amendments to this Charter, and the DSC Bylaws and Rules of Order and on all Committee on Rules actions interpreting or evaluating proposals to amend.
  - C. A current copy of this Charter, and the DSC Bylaws and Rules of Order shall be kept on file with the DSC and shall be accessible to the public.
5. *Editorial Responsibilities.* The Committee on Rules shall have the responsibility of correcting technical errors and inconsistencies when preparing the official version of this Charter, and the DSC Bylaws and Rules of Order.
6. The Committee on Rules shall perform such other duties as specified by this Charter or the DSC.

## **1420. Membership and Representation**

1. The membership of the Rules Committee shall consist of the following classifications:
  - A. County Membership;
  - B. At-Large Non-Voting Membership; and
  - C. Non-voting Ex Officio Membership.
2. *County Membership:*
  - A. The County Membership shall consist of one (1) member elected by each County Committee.
  - B. County Members shall be elected every two (2) years after the State Convention, and shall take office upon election.
  - C. The incumbent member shall remain in office until a successor is elected, but no later than the County Committee meeting at which officers are elected.
  - D. Each County Committee shall act promptly to hold elections and to fill any vacancy.
  - E. County Members shall consult with their County Committees prior to the Municipal Caucuses to make arrangements to familiarize Municipal Committee Chairs with the current provisions of the Charter and to solicit proposals for improving the Charter.
3. *At-Large Non-Voting Membership.* The At-Large Membership shall consist of one (1) non-voting member from each congressional district elected by the Rules Committee at its organizational meeting.
4. *Non-Voting Ex Officio Membership.* The Non-voting Ex Officio Membership shall consist of the Chair and Vice-Chair of the DSC.
5. *Removals:*
  - A. A County Committee may remove its County Member of the Rules Committee. Removal shall require a vote of two-thirds (2/3) of the County Committee members present and voting at a meeting called for that purpose by written notice given at least twenty-one (21) days before the meeting.
  - B. The Rules Committee may remove any of the At-Large Members. Removal shall require a vote of two-thirds (2/3) of the Rules Committee members present and voting at a meeting called for that purpose by written notice given at least twenty-one (21) days before the meeting.
  - C. Any County Member or At-Large Member who ceases to meet the qualifications for membership under Section 120 of this Charter is automatically removed from office.
  - D. The Rules Committee may establish attendance requirements and provide in its bylaws for removal of members who fail to comply with those requirements.

## **1430. Officers of the Committee on Rules**

1. *Officers.* The Officers shall consist of a Chairperson, a Vice-Chairperson, and a Secretary.
2. *Election.* Officers shall be elected at the Organizational Meeting of the Committee on Rules.
3. *Qualifications.* The officers must be members of the Committee on Rules.

4. *Term of Office.* Officers shall serve until the adjournment of the next Organizational Meeting, or until replaced by a new election at a Special Committee on Rules meeting called for that purpose.

## **1440. Meetings**

1. *Organizational Meeting.* The Committee on Rules shall hold an organizational meeting in the month of October or November of even numbered years for the purpose of electing officers, creating a meeting schedule, and such other business as may properly come before it.
2. *Regular Meetings.* The Committee on Rules shall hold meetings at least bi-monthly, except that the Chair shall have the authority to cancel a meeting if there is no business to come before the committee.
3. *Special Meetings:*
  - A. The Chair of the Committee on Rules may call Special Meetings.
  - B. The Chair shall call Special Meetings upon the petition of at least five (5) members. Said petition must contain within it the business for which the special meeting is to be called and the Committee on Rules may only take action on that business.

## **1450. Self-Regulation**

The Committee on Rules shall be administered in accordance with its own rules and procedures, in so far as those rules and procedures do not conflict with this Charter.

# **CHAPTER 15 AMENDMENT PROCESS**

## **1500. Amendments**

This Charter may be amended only by the State Convention or the State Committee.

1. *Amendments by the State Convention.* The State Convention shall vote, by simple majority, on whether to amend this Charter as proposed by the report of the Committee on Rules, and to ratify all amendments adopted by the DSC since the last Convention. If a package of amendments or proposed amendments is defeated, the individual proposals shall be then considered on a line-item basis. Any amendment adopted by the DSC which directly affects the business of the Convention shall be submitted to vote by the Convention in time for its action to be meaningful.
2. *Amendments by Petition.* The State Convention shall vote, by simple majority, on any amendment to this Charter proposed in a valid petition. In order to submit an amendment to the Convention without the recommendation of the Committee on Rules, the proponent must obtain the signatures of at least twenty-five (25) Delegates and/or Alternates and submit the petition in accordance with Section 560. The person filing a petition shall provide an electronic copy of the text to the Chair of the Committee on Rules, in a format that can be copied by standard word processing software. The DSC shall provide copies of all amendments proposed by petition to all Delegates and Alternates with their registration materials.
3. *Amendments Between Conventions.* On motion by any member of the DSC, or on presentation in a report by the Committee on Rules or the Executive Committee, the State Committee may amend this Charter between Conventions, by a two-thirds (2/3) vote, provided that:
  - A. the amendment does not act to defeat an action taken by the preceding State Convention in voting to adopt or reject a proposed amendment;
  - B. the proposal has been considered and reported on by the Committee on Rules, or the Committee on Rules has been given a reasonable time to report on the proposal and has failed to do so;
  - C. each DSC member has been sent, at least seven (7) days before the meeting when the amendment is to be adopted, the exact wording of the proposed amendment and a copy of the report of the Committee on Rules; and
  - D. at least one half (1/2) of the members of the DSC are in attendance.
4. *Effective Date.* The State Convention may, by vote of two-thirds (2/3) of the delegates present and voting, specify that an amendment shall take effect immediately. Otherwise, unless the amendment by its terms specifies a later effective date, an amendment is effective immediately upon adjournment of the State Convention or State Committee meeting at which the amendment is adopted. An amendment adopted by the State Committee but repealed by the subsequent State Convention is repealed immediately.