

**ME DEMS**

**MAINE DEMOCRATIC PARTY  
CHARTER**

***As most recently amended by the 2020  
Maine Democratic State Convention,  
July 19, 2020***

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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.

### 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

1. *Primary Elections.* The Maine Democratic Party, and all state and local Party organizations, shall not endorse any candidate in a contested Democratic Party primary election. This subsection does not prohibit a Party organization from making general support services available to primary candidates.
2. *Partisan General Elections.* The Maine Democratic Party, and all state and local Party organizations, shall not endorse any non-Democratic candidate in a partisan general election if there is a Democratic candidate on the ballot.

## CHAPTER 2 MUNICIPAL COMMITTEES AND CAUCUSES

### 200. General Requirements

Municipal Caucuses shall be conducted in each general election year in compliance with the Maine Election Code (Title 21 A.M.R.S.A. §§ 311–315 as amended), this Charter, and the call to the Convention.

### 210. Caucuses Regulated

1. *Responsibilities of the DSC:*
  - A. The DSC shall establish a Uniform Caucus Date for the following year's municipal caucuses no later than June 1 of each odd-numbered year.
  - B. The DSC Chair shall issue the call of the Convention to the Chair of each County Committee and each Municipal Committee no later than ninety (90) days before the Uniform Caucus Date. The Uniform Caucus Date shall be at least three (3) months before the opening day of the State Convention, unless the DSC waives this requirement by a two-thirds (2/3) vote.
  - C. The DSC shall distribute caucus packets to all municipalities at least fourteen (14) days before the Uniform Caucus Date. The packets shall include registration and reporting forms, copies of the appropriate State laws and pertinent Democratic Party rules, and instructional materials for caucus Conveners and officers. The DSC shall submit draft copies of the caucus packets for review by the Rules Committee and the Credentials Committee a reasonable time in advance of the Convener training program, and no later than sixty (60) days before the Uniform Caucus Date.
  - D. For purposes of this Chapter and Chapter 3, including but not limited to caucus participation and delegate apportionment, a voter whose legal residence is in unorganized territory shall be considered a resident of the municipality where that voter is registered to vote.
2. *Responsibilities of Local Committees:*
  - A. No later than seventy-five (75) days before the Uniform Caucus Date, each County Chair shall confer with each Municipal Chair or Municipal Secretary in order to make preparations for the municipality to call the municipal caucus.
  - B. If there is no active Municipal Chair or Municipal Secretary, the County Committee shall make reasonable efforts to consult with interested Democrats within the municipality to encourage them to organize a caucus.
  - C. Each Municipal Committee shall notify the County Chair at least sixty (60) days before the Uniform Caucus Date of the time and place of the Municipal Caucus. In any municipality where the Municipal Chair or a majority of the Municipal Committee has not given notice, the County Committee shall if feasible call a caucus and appoint a Convener, making efforts to work with local Democrats to establish a suitable time and place, and ensure that adequate publicity of the caucus is given to Democrats within the municipality.
  - D. The County Committee may delegate to the County Chair or to a subcommittee the power to call caucuses and appoint Conveners in municipalities where the municipal committee has failed to do so.
3. *Caucus Convener:*
  - A. A Caucus Convener shall be responsible for the organization of each Municipal Caucus. The Convener shall be the Municipal Committee Chair or the Chair's designee, or if the Chair fails to serve or to designate a Convener, the Municipal Committee or the County Committee shall appoint a Convener.
  - B. The Convener's duties shall include:
    - (1) Selecting a time and place for the caucus and making the necessary arrangements.
    - (2) Attending caucus training scheduled by the State or County Democratic Party.
    - (3) Ensuring that the caucus is properly called to order by a resident of the municipality.
    - (4) Ensuring that the DSC has received the names and contact information for the Caucus Chair and Caucus Secretary.
    - (5) Preparing and submitting the Caucus Report if the Caucus Chair and Secretary fail to do so. If the Convener is a nonresident and no resident attends the caucus, the Convener shall report to the DSC that no caucus was held.
  - C. The Convener need not be a resident of the municipality. If multiple municipalities caucus together, they may share a Convener. A nonresident Convener may not formally call the Caucus to order, but may serve as an officer if no resident is willing to serve, and may provide such other assistance as may be needed to conduct the business of the Caucus.
4. *Time and Place.* The Caucus shall begin between 1:00 p.m. and 8:00 p.m., on the Uniform Caucus Date. Municipal Caucuses shall be held in public places whenever possible, within or convenient to the municipality. In no event shall a caucus be held in a private home except in a municipality with fewer than one hundred (100) enrolled Democrats.
  - A. A Municipal Committee may vote to break its caucus into precincts, wards, or other local districts. Local caucuses may be held at a common location or in separate locations throughout the municipality. The

local districts used for the caucus must be identifiable from voter registration lists and understandable to voters.

- B. By agreement of their Municipal Committees, or at the direction of the County Committee if none of the Municipal Committees objects, two or more municipalities may caucus together in the same location.

5. *Late Caucuses:*

- A. A Municipal Caucus may not be held after the Uniform Caucus Date unless severe inclement weather or some other compelling reason makes it impossible to caucus on that date.
- B. If the caucus is held within fourteen (14) days after the Uniform Caucus Date, the municipality's State Convention delegates shall be seated at the State Convention only upon the approval of the Credentials Committee.
- C. If a caucus is held more than fourteen (14) days after the Uniform Caucus Date, the delegates elected by that caucus shall not be seated at the State Convention unless specifically exempted by a three-fourths (3/4) affirmative vote of the members of the Credentials Committee present and voting, or by a majority affirmative vote of the State Convention upon receiving the report of the Credentials Committee.

## 220. Notice

- 1. *Public Notice.* Public notice of the caucus (21 A M.R.S.A. § 311(3)) shall include, but need not be limited to:
  - A. A notice published in a newspaper of general circulation in the municipality at least three (3) and not more than seven (7) days before the caucus is to be held, or
  - B. A notice posted in a conspicuous public place in each municipal voting district at least seven (7) days before the caucus.
- 2. *Notice to Municipality and DSC.* In addition, a copy of the notice shall be filed with the Municipal Clerk (21 A M.R.S.A. § 311(3)(B)) and the DSC. Failure to notify the DSC of any change in the time or place of the caucus less than three (3) days before the caucus may constitute grounds for the Committee on Credentials to void the caucus.
- 3. *Contents of Notice.* The notice shall state the name of the Party, the time and place of the caucus, the name of the person calling it, and the availability and location of voter registration on the caucus day. If the caucus is to divide by precincts, wards, or districts, the notice shall say so and shall include the location of each local caucus if they are not held at the same address. The notice may include a procedure for notification and rescheduling if the caucus must be postponed. If a caucus is postponed and the alternative date was not included in the original notice, a new notice must be published in accordance with this Section.

## 230. Caucus Procedures

- 1. *Membership.* Any enrolled Democrat within a municipality who attends the municipal caucus shall be a member of that caucus, unless barred by the Maine Election Code due to enrollment in another political party after the statutory deadline for changing parties. Opportunity shall be provided for new voters and unenrolled voters to enroll as Democrats at the time of the caucus.
- 2. *Call to Order.* The Convener, if a resident, or the Convener's resident designee shall call the caucus to order and conduct the election of the Caucus Secretary and Caucus Chair. In the Convener's absence, any resident Democrat present may call the caucus to order in accordance with the Maine Election Code.
- 3. *Rulings.* Any questions not covered by State Law or by this Charter shall be decided by the Chair of the Municipal Caucus or Committee. Such rulings may be overruled by a majority vote of the members present at a caucus or committee meeting.
- 4. *Organization; Division by Precincts.* Each Municipal Caucus shall conduct its affairs as a committee of the whole, except that in any municipality that has divided its caucus into precinct, ward, or district caucuses in accordance with Paragraph 210(4)(A), each local caucus shall elect officers *pro tempore*, and while in session shall follow the same procedures as prescribed for municipal caucuses.
- 5. *Nominations.* Nominations for all officers and positions shall be open to all persons qualified to be members of the Municipal Caucus. The Caucus may elect a nonresident Democrat to serve as Chair or Secretary, and may elect the same person to fill both of those offices. People may nominate themselves. Nominations shall be entertained as long as any caucus member desires to make a further nomination. A person need not be present to be nominated and/or elected, as long as the person has communicated an interest in being nominated to a member of the Caucus.
- 6. *Municipal Committee Bylaws.* A Municipal Caucus, by majority vote, may adopt, repeal, or amend the Bylaws governing the Municipal Committee.
- 7. *Open Dialogue.* Every caucus member shall have a right to speak.

## 240. Caucus Reports

The DSC shall furnish, to each Municipal Caucus, forms for the accurate reporting of caucus activities.

1. *Required Minimum Contents.* The report shall include, at a minimum, the names of caucus participants and officers, the names of the State Convention Delegates and Alternates and County Committee members who have been elected at the caucus, and in Presidential years, the Presidential preference (or uncommitted status) of each caucus participant, Delegate, and Alternate, the final caucus vote for each preference group, and the number of Delegate and Alternate positions allocated to each preference group.
2. *Option for Reporting to Counties.* Each County Chair shall notify the DSC office at least one month before the Uniform Caucus Date whether the County Committee will be responsible for collecting caucus reports on behalf of all municipalities within the county. In counties that choose this process, the caucus reports shall be sent to the address designated by the County Committee, which shall forward the reports to the DSC office within seven (7) days after their receipt. Otherwise, the reports shall be sent to the DSC at the address it designates.
3. *Reporting Process.* Within seven (7) days after a Municipal Caucus, the Caucus Chair shall forward completed caucus report forms to the designated address. If any Municipal Caucus does not file a report within seven (7) days after the Municipal Caucus, the DSC or the County Chair shall promptly inquire of the Caucus Chair, the County Chair, or the Caucus Convener as to its availability. If multiple caucuses have been scheduled to meet on a consolidated basis, the chair of the host caucus shall report for any municipality that does not elect its own Caucus Chair.
4. *Access to Caucus Data.* The DSC shall ensure that the information collected through caucus reports is promptly made available to municipal and county committees in a usable electronic format, and shall provide a hard copy or electronic copy of the caucus report at the request of the municipal or county chair. Upon a request made within seven (7) days after a caucus by a person who participated in that caucus, the Caucus Chair, or the person who submitted the report on the Chair's behalf, shall ensure that the minutes of the caucus and the caucus report, except for personal contact information, are promptly made available to the person who made the request.
5. *Time for Challenges.* Unless the completed municipal caucus report is challenged within fourteen (14) days following receipt of the report by the DSC office, it shall become the official record of that caucus, except that the deadline for a challenge by a caucus participant who has requested access to a caucus report under subsection 4 shall be extended, if necessary, until seven (7) days after the requested information has been received.
6. *Record Retention.* The DSC shall retain the original caucus reports until at least the next Uniform Caucus Date. When the DSC concludes the retention period, it shall give at least thirty (30) days' notice to the County Committees. Each County Committee shall have the option to take custody of the caucus reports for that county; otherwise, the DSC may discard the reports.

## 250. Municipal Committees

1. *Local Option.* The Democrats within a municipality may adopt provisions in their municipal 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.
2. *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.
3. *Officers.* Municipal Committees shall elect a Chair, a Secretary, and such other officers as they may consider necessary. The election shall be held 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.
4. *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.
5. *Notice.* Whenever possible, each Committee member shall be given at least seven (7) days' notice and a written agenda before any Committee meeting.
6. *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.

## **CHAPTER 3**

### **ELECTION OF STATE CONVENTION DELEGATES AND ALTERNATES**

#### **300. General Provisions**

1. *Apportionment.* 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. Any fractional remainder of exactly one-half shall be rounded upward. The official calculation shall be done using a spreadsheet or similar computer process, using sufficient precision to avoid the possibility of roundoff error.
2. *Gender Balance.* To the extent practicable, the delegation shall be gender balanced.
3. *Alternates.* There shall be the same number of alternate position as delegate positions. When the alternates are elected at the caucus, priorities shall be assigned to the alternates by random drawing. There shall be separate pools in Presidential years for each preference group.
4. *Apportionment by Precincts.* When delegates and alternates are elected at the precinct, ward, or district level, delegates and alternates shall be apportioned based upon the percentage of the municipality's last vote for the Democratic candidate for President or Governor which was cast within the respective precincts, wards, or districts. If this is not possible, delegates and alternates shall be allocated based upon the percentage of the municipality's Democrats who reside within each precinct, ward, or district.

#### **310. Delegate Selection in Presidential Election Years**

1. *Presidential Preference.* Delegates and alternates shall be elected on the basis of their presidential preference in Presidential election years. The presidential candidates who are eligible for representation at the State Convention are the candidates who have qualified to appear on the Maine Democratic presidential primary ballot.
2. *Delegate Selection Plan.* Municipal Caucuses must comply with applicable provisions of the Delegate Selection Plan adopted by the DSC.
3. *Allocation Between Preference Groups.* The number of State Convention delegate positions that each presidential preference shall receive shall be determined by the percentage of caucus participants favoring that preference, without requiring any predetermined threshold percentage. The procedure for allocating delegates and alternates shall be as follows. The Chair of the Caucus shall:
  - A. announce the number of eligible Democrats present at the caucus and the number of Delegates to be elected;
  - B. count and physically divide those in attendance according to presidential preference, including the category "uncommitted";
  - C. announce the count, and the number of delegates each preference would be entitled to if there are no changes in preference, and then allow a brief caucus period for movement among the preferences, advising caucus participants that if they are elected as Delegates representing a presidential candidate, they will be obligated to act in good faith as representatives of the groups that elected them;
  - D. determine the number of delegates assigned to each preference by multiplying the percentage supporting that preference by the total number of delegates to be elected from the municipality, ward, or precinct then voting, assigning delegates according to the whole number then earned, and then assigning delegates in order to those preferences with the largest remaining fractions until the total number of delegates apportioned to a municipality, ward, or precinct has been assigned. Any ties will be decided by a public coin toss;
  - E. send each preference group to caucus separately and to return with its choice of Delegate(s) and Alternate(s).
4. *Change of Presidential Preference.* Delegates and Alternates may change their presidential preferences by filing a form with State Headquarters up to 14 days before the opening of the State Convention if the originally preferred candidate will not be eligible for any National Convention Delegates from Maine.
  - A. A change of preference in accordance with this Subsection does not create or fill a vacancy; the number of vacancies in the municipal delegation that each affected preference group is entitled to fill remains unchanged.



- B. A change of preference does not take effect until registration at the Convention. If a Delegate who has changed preference resigns before the Convention or fails to attend, the resulting vacancy remains allocated to the Delegate's original preference group.

## **320. Filling Vacancies**

1. *Resignation or Removal of Delegates.* A delegate may submit a written resignation to State Democratic Party Headquarters, either by e-mail or by hard copy, at any time before the Convention. If Headquarters receives written notice giving the reason that a delegate is no longer eligible to serve, the notice shall have the same effect as a resignation unless it is disputed by the delegate, in which case it shall be considered a challenge. Headquarters shall provide an e-mail address and a postal address for submitting resignations, and shall post the addresses on the State Party website and notify all delegates, alternates, and municipal and county chairs. Headquarters shall send notice of all resignations, removals, and replacements within five (5) days to the former delegate, the new delegate, the municipal chair, and the county chair.
2. *Replacement by Alternate from the Municipality.* If a delegate position becomes vacant for any reason before the Convention, and there is an eligible alternate from the same municipality, the vacancy shall be filled by the eligible alternate with the highest priority. An eligible alternate is an alternate who would not create or increase a gender imbalance within the municipal delegation and, if it is a Presidential year, belongs to the same preference group to which the vacant position has been allocated.
3. *Vacancies Filled at Local Meetings.* 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 according to the following procedures:
  - A. One or more municipal-level meetings may be held at any time up to one month after the Uniform Caucus Date to fill vacancies in delegate or alternate positions that have been allocated to that municipality. One or more county-level meetings, or regional-level meetings of contiguous municipalities within a county, may be held at any time between one month after the Uniform Caucus Date and fourteen (14) days before the Convention to fill any remaining vacancies in delegate or alternate positions that have been allocated to municipalities within that county or region.
    - (1) In non-Presidential years, a municipal-level or county-level meeting is a meeting of the Municipal or County Committee. In lieu of holding separate municipal-level meetings, two or more municipal committees within a county may agree to meet jointly to fill vacancies on a regional level and shall promptly notify the county committee if they intend to do so. In lieu of holding a county-wide meeting, a county committee may divide the county into regions and establish subcommittees to fill vacancies within each region.
    - (2) In Presidential years, the meetings shall be conducted in the following manner:
      - (a) The meetings shall be meetings of all delegates and alternates within the county or municipality.
      - (b) In lieu of holding a county-wide meeting, the county chair may establish one or more regions within the county to meet at a regional level.
      - (c) At the meeting, each preference group shall meet separately in breakout sessions to fill the delegate and alternate vacancies that have been allocated to that preference group.
      - (d) If the local party chair fails to call a meeting, a preference group's designated campaign liaison may call a municipal-level, regional-level, or county-level meeting of that preference group, or if the chair and campaign liaison both fail to do so, any delegate or alternate from the municipality or county pledged to that Presidential candidate may call a municipal-level or county-level meeting for that preference group.
      - (e) At least ten (10) days' written notice of all meetings convened pursuant to this Paragraph shall be given to the DSC and, as applicable, to all delegates and alternates in the preference group within the relevant geographic unit, to all municipal chairs within the relevant geographic unit, and to the county chair. Except for meetings called by a Presidential candidate's designated campaign liaison, notice shall be given to all designated campaign liaisons at least three (3) business days before the meeting is called. Entitlement to notice shall be determined on the basis of records available from the municipal chair, from the county chair, or from State Party Headquarters.
    - (3) The DSC shall develop reporting forms and procedures to ensure prompt and accurate reporting, which shall be conducted according to procedures substantially similar to those required by Section 240 of this Charter. The report shall include an attestation that timely notice was given to all eligible participants.
  - B. To be elected to an alternate or delegate position under this Subsection, a person must be an enrolled Democrat who has not been enrolled in any other political party at any time after a date fifteen (15) days before the Uniform Caucus date and who has not been an unenrolled voter at any time after the Uniform Caucus date. In Presidential years, except for uncommitted positions, the person chosen must be a *bona fide* supporter of the candidate to whom the position is allocated.
  - C. Preference shall be given first to Democrats in the same municipality, and then to Democrats in a nearby municipality. For delegate vacancies, preference shall be given to incumbent alternates, consistent with gender balance and affirmative action goals.

- D. The names of all delegates and alternates chosen pursuant to this Subsection, and their contact information if available, shall be communicated in writing to the Municipal Chairs of the municipality where the delegate or alternate resides and the municipality the delegate or alternate represents, the County Chair, and State Headquarters, within five (5) days after they are chosen. All delegates and alternates chosen pursuant to this Subsection shall be subject to acceptance by the Credentials Committee.
4. *Vacancies Filled at the Convention.* A delegate who does not intend to attend the State Convention is encouraged to alert the State Headquarters and the Credentials Committee Chair of the expected absence, which shall have the effect of resigning the delegate's position. At the time registration closes at the Convention in accordance with Subsection 610(2) of this Charter, the Credentials Committee may replace all unregistered delegates with available alternates, who shall be selected to serve as delegates as follows:
- A. Alternates shall be placed in a pool from which names shall be selected by lot or at random. In order of priority, pools shall be created by municipality and by county; every attempt should be made to maintain gender balance. The Party may establish procedures for assigning a random number to each alternate in advance of the Convention in order to facilitate an orderly and efficient promotion process.
- B. In Presidential years, separate pools shall be established for each preference group. Alternates who have remained within their original preference groups shall have priority at each level over alternates who have changed preferences.
- C. If a delegate cannot be selected in this manner, the seat shall remain vacant.

## **CHAPTER 4**

### **COUNTY COMMITTEES**

#### **400. 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.* Each Municipal Committee shall be entitled to a minimum of three (3) members on the County Committee, one of whom shall be the Municipal Committee Chair. The number of additional members to be elected from each municipality shall be determined in accordance with County Committee bylaws. 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. 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.

#### **410. Meetings**

1. *County Caucuses.* For information on County Caucuses held at the State Conventions, see Section 650 of this Charter.
2. *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 5**

### **CONGRESSIONAL DISTRICT COMMITTEES**

#### **500. 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 6**

### **STATE CONVENTION**

#### **600. 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 in accordance with Subsection 210(1) of this Charter. 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 day on which each Municipality should hold its Caucus, and the allowable times, pursuant to Section 210 of this Charter.
  - 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.

#### **610. State Convention Delegates & Alternates**

1. *Election of Delegates and Alternates.* Delegates and Alternates to the State Convention shall be elected in accordance with Chapter 3 of this Charter.
2. *Registration.* Registration shall close two hours before the commencement of the County Caucuses, or in Presidential years, two hours before the first round of balloting closes for National Convention Delegates, except for reregistration of Alternates who have been promoted to fill Delegate vacancies. The Party Chair shall have the authority to extend the time for registration. In Presidential years, all Delegates and Alternates shall be registered according to the presidential preference groups they were elected to represent, as reported by the municipal caucus at the time of election, except that Delegates and Alternates who have changed their preferences in accordance with Subsection 310(4) shall be registered according to their current preference.
3. *Floor Privileges.* Only Delegates, Alternates, County Committee Chairs, Municipal Committee Chairs, members of the Staff of the State Convention, members of the Press, and others certified by the Committee on Credentials may be present on the floor of the State Convention.
4. *Challenges to Delegates and Alternates:*
  - A. Any Democrat may challenge one or more Delegates or Alternates certified to the State Convention by notifying State Headquarters in writing. A challenge shall include the name and address of each Delegate or Alternate who is being challenged and the reason for the challenge.
  - B. Any challenge alleging the invalidity of a municipal caucus, or alleging improprieties in the conduct of a municipal caucus, must be filed within fourteen (14) days after the report of the caucus is filed pursuant to Section 240 of this Charter. All other challenges must be filed within fourteen (14) days after the report of the election of the challenged Delegate or Alternate is filed. No challenge may be filed less than seven (7) days before the State Convention. The Committee on Credentials may waive the time limits of this

Paragraph if the challenge arose out of events occurring after the election of the challenged Delegate or Alternate and the challenge was filed promptly after the challenger had reason to know of the events giving rise to the challenge.

- C. Immediately upon receipt, State Headquarters shall send copies of a challenge to the Chair of the Committee on Credentials; to each Delegate and Alternate affected by the challenge; and to the Chair of the Municipal Committee and County Committee where each Delegate or Alternate affected resides and, if different, to the Chair of the Municipal Committee in which each Delegate or Alternate affected was elected.
- D. The Committee on Credentials must consider any statements from the challenger and from the Delegate(s) or Alternate(s) being challenged, and may take testimony from other persons. Challenges arising out of identical facts may be heard and decided on a consolidated basis.
- E. For challenges arising out of municipal caucuses, the Committee on Credentials shall hold its hearing within twenty-one (21) days after the challenge, and if the challenge is sustained, may order that the municipality conduct a new caucus. The Committee on Credentials shall hold a meeting to hear other challenges at the site of the State Convention, commencing at least twenty-four (24) hours before the start of the Convention, and shall also hold earlier hearings as needed in order to be able to order an effective remedy, at times and places mutually convenient to the parties to the challenge and to the Committee.
- F. After the hearing, the Committee on Credentials shall report in writing to the State Convention the names of the Delegates or Alternates it believes are entitled to participate in the State Convention, and shall give prompt notice to the challenger and to all Delegates and Alternates potentially affected by the challenge. A minority of the Committee on Credentials may also present a report to the State Convention on any challenge. When a number of challenges are set aside to be resolved individually, the first challenge to be voted on shall be selected by random draw, and the remaining challenges shall be voted on in alphabetical order by municipality from that point forward.
- G. The report of the Committee on Credentials on each challenge must be approved by a majority vote of the State Convention before a challenged Delegate or Alternate may participate in the State Convention. If the number of challenges is large enough that the unchallenged Delegates might not be representative of the State Convention as a whole, the Delegates with favorable recommendations from the Committee on Credentials shall be seated on a provisional basis pending the decisions on their respective challenges, but provisionally seated Delegates may not vote on the challenges to which they are parties.

## **620. Convention Officers**

### *1. Temporary Officers:*

- A. The Temporary Officers of the Convention shall consist of a Temporary Chair and a Temporary Secretary who shall be nominated by the Executive Committee and elected by the DSC at least thirty (30) days before the State Convention.
- B. Each Temporary Officer shall perform the duties of the Permanent Officer until the Permanent Officer is elected, and shall serve in an acting capacity if the Permanent Officer is temporarily absent or unable to serve, or until a vacancy in office is filled in accordance with Subsection 6.

### *2. Permanent Chair:*

- A. The Executive Committee shall nominate the Permanent Chair at least thirty (30) days before the State Convention. Additional nominations shall be accepted from the floor of the State Convention from any Delegate.
- B. The Permanent Chair shall be elected by a majority of the Delegates to the State Convention present and voting and shall take office immediately upon being elected.
- C. The Permanent Chair, once elected, shall preside at all sessions of the Convention.
- D. The Permanent Chair shall have the sole authority to recognize speakers from the floor of the Convention. Such decisions shall be final and not subject to appeal.
- E. The Permanent Chair shall conduct the Convention in accordance with the Charter of the Maine Democratic Party.

### *3. Permanent Secretary:*

- A. The Executive Committee shall nominate the Permanent Secretary at least thirty (30) days before the State Convention. Additional nominations shall be accepted from the floor of the State Convention from any Delegate.
- B. The Permanent Secretary shall be elected by a majority of the Delegates to the State Convention present and voting and shall take office immediately upon being elected.
- C. The Permanent Secretary shall keep full and accurate minutes of the proceedings of the State Convention, including the results of all votes, with vote totals when votes were counted. The Permanent Secretary shall conduct all roll call votes.
- D. The Permanent Secretary shall transmit the minutes to the Executive Committee and to the DSC within thirty (30) days after the close of the State Convention.

4. *Parliamentarian:*
  - A. The Executive Committee shall appoint the Parliamentarian.
  - B. The Parliamentarian shall be knowledgeable in the MDP Charter and parliamentary law and procedure, as codified in the most recent edition of *Robert's Rules of Order Newly Revised*.
  - C. The Parliamentarian shall advise the Chair on questions of procedure in transacting the business of the Convention legally, officially, and impartially.
  - D. Any Delegate may request the advice of the Parliamentarian.
  - E. The Parliamentarian shall attend the Convention in its entirety.
5. *Sergeant-at-Arms:*
  - A. The Executive Committee shall appoint the Sergeant-at-Arms.
  - B. The Sergeant-at-Arms, under the direction of the Permanent Chair, shall preserve order.
  - C. The Sergeant-at-Arms may appoint such deputies as deemed necessary.
6. *Vacancies.* Vacancies in the office of Permanent Secretary or Permanent Chair shall be filled by vote of the Convention. Vacancies in the office of Parliamentarian or Sergeant-at-Arms shall be filled by appointment by the Permanent Chair.

## **630. Convention Procedure**

1. *Organizational Reports.* At its opening session, the Convention shall consider the following three reports and adopt them subject to such amendments as the Convention determines to be necessary:
  - A. *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.
  - B. *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.
  - C. *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.
2. *Parliamentary Authority.* The Convention shall be conducted in accordance with the most recent edition of *Robert's Rules of Order Newly Revised*, except to the extent that it is inconsistent with this Democratic Party Charter, state law, or that it is superseded by standing rules or rules of procedure specifically adopted by a majority vote of the Convention.
3. *Quorum.* A quorum shall consist of 30% of the registered Delegates, except when a higher quorum is required by applicable provisions of this Charter, the Delegate Selection Plan, or rules of order adopted by the Convention. For elections conducted at the district or county level, the quorum shall be the applicable percentage of the registered Delegates within the district or county.
4. *Conflict Between Rules.* In the event that a conflict affecting the business of the Convention is discovered within this Democratic Party Charter or the Delegate Selection Plan, or among this Democratic Party Charter, the Delegate Selection Plan, or National Democratic Party Rules, the Convention shall resolve the conflict by majority vote after consultation with the Committee on Rules and such other advisors as the Convention Chair and Parliamentarian determine to be appropriate.
5. *Uniform Petition and Election Procedures:*
  - A. *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.
  - B. *Availability of Petitions.* Forms for all Petitions that are to be submitted to the State Convention shall be made available at least thirty (30) days before the Uniform Caucus Date.
  - C. *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.
  - D. *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) 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.

- E. *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.
- F. *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.
- G. *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 Paragraph F. 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.
- H. 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.
- I. 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.
- J. 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.

## **640. 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 30th, 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 on the uniform caucus date, as required under Subsection 200(1) of this Charter, and other business that may come before it pursuant to Paragraph 210(5)(B) of this Charter.
  - B. *Membership.* The Committee on Credentials shall consist of one (1) member elected by each County Committee no later than May 31st of the year preceding the State Convention, who shall not be the County Chair. In Presidential election years, each Presidential Campaign that has elected at least fifty (50) State Convention Delegates may appoint a nonvoting member to the Committee on Credentials. A County Committee may remove its representative by two-thirds (2/3) vote.
  - 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 30th of the year preceding the State Convention. The organizational meeting shall be held no later than three months before the Uniform Caucus Date. 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 7 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 810(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); and

- (e) 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) A County Committee may remove its representative 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 30th of the year preceding the State Convention. The organizational meeting shall be held no later than September 15th. 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 7 and as determined by the Committee or upon the call of its Chair.

## **650 County Caucuses**

- 1. County Caucuses may be recessed and reconvened at a later time during the Convention.
- 2. *Voting in County Caucuses:*
  - A. Only Delegates may vote.
  - B. All Officers of the County Caucus shall be elected by plurality vote.
- 3. Each County Caucus shall elect a Caucus Chair who shall preside at its meeting. Each County Caucus shall elect a Caucus Secretary who shall keep, for the County files, a record of all proceedings, and who shall tabulate all votes.
- 4. Each County Caucus shall nominate that County's members of the DSC, as allocated in accordance with Chapter 8 of this Charter. Nominations shall be by a plurality vote taken by written ballot.

## **660. Election of Delegates & Alternates to National Conventions and Conferences**

- 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 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.
- 5. *Apportionment of Delegates:*
  - A. *District-Level Election.* Delegates and alternates to the National Convention shall be elected at the Congressional District level to the extent permitted by rules established by the National Democratic Party.
  - B. *Geographic Apportionment.* District-Level delegates and alternates shall be apportioned between Congressional Districts by a formula giving equal weight to population, as determined by the official U.S. Census Bureau estimate issued the year before the election, and to the average vote for the Democratic candidates in the two most recent presidential elections.
  - C. *Apportionment Among Presidential Preferences.* Within each constituency, pledged delegates shall be apportioned among presidential preferences, including "uncommitted," in proportion to their shares of the presidential primary vote. Winner-take-all voting, threshold requirements, and other apportionment systems that are inconsistent with proportional representation shall not be permitted.
- 6. *Nomination:*
  - A. Any enrolled Maine Democrat can be a candidate to represent the State of Maine at the National Convention, except for positions reserved by National Democratic Party rules for Party leaders or public officials.
  - B. Alternates shall be selected from among the candidates for the corresponding delegate positions in the manner provided in the DSP.
  - C. Nomination shall be by petition filed in accordance with Subsection 630(5). No more than twenty-five (25) signatures may be required.

7. *Prohibition of Unit Rules and Binding Instructions:*
  - A. The use of the unit rule or the practice of instructing delegations shall not be permitted at any level of the delegate selection process.
  - B. No Delegate at any level of the delegate selection process shall be mandated by law or Party rule to vote contrary to that individual's expressed Presidential choice.
8. *Election:*
  - A. *Voting.* Ballots shall be distributed to Delegates according to the Congressional District the Delegate was elected to represent and the presidential preference the Delegate was registered as supporting. Ballots shall be forwarded to the Permanent Chair or the Chair's designee when voting is complete. The winners shall be announced by the DSC promptly after the votes are counted. Delegates and Alternates shall be elected in accordance with the Maine Democratic Party DSP. Ties shall be broken by a public coin toss, with notice to the candidates.
  - B. *Gender Balance.* The delegation shall be gender balanced in accordance with procedures set forth in the DSP. The DSP shall maximize the opportunity for all genders to run on an equal footing for as many delegate positions as possible. If some positions must be restricted in order to achieve gender balance, positions reserved for Party leaders or public officials shall be used for that purpose to the extent permitted by National Democratic Party rules.
9. *Obligation of First-Ballot Support:* All pledged delegates to the National Convention, other than uncommitted delegates, shall be obligated to vote on the first ballot for the Presidential Candidates whom they were elected to support, unless released in writing by the Presidential Candidate or the Candidate's Authorized Representatives.

## **670. 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 Subsection 630(5), 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 at the County Caucuses. Secret ballots shall be used unless the National Democratic Party requires signed ballots.

## **680. 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 Subsection 630(5), 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 at the County Caucuses. 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 7 MAINE DEMOCRATIC PARTY PLATFORM**

## **700. 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.

## **710. 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.

## **720. 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 730;
  - B. By petition, signed by at least twenty-five (25) Delegates and/or Alternates and submitted in accordance with Subsection 630(5);
  - C. By resolution of a County Committee filed in accordance with Subsection 630(5) at least fourteen (14) days before the Convention;
  - D. By resolution of an ADO filed in accordance with Subsection 630(5) 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 Subsection 630(5) 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.

## **730. 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 720 or published by the Committee in accordance with Subsection 1 of this Section. Any ten (10) 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.

## **740. 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 amendment 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 convening of the County Caucuses until all platform amendments have been voted on, except by a 2/3 vote of the convention.

## **750. 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 8 DEMOCRATIC STATE COMMITTEE (DSC)**

### **800. 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.

### **810. 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 820 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 Subsection 630(5) of this Charter;
  - G. The Chair of the Rules Committee; and

- H. 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.

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

- 1. *Nomination.* Candidates for Elected Membership to the DSC shall be nominated by the County Caucuses of the State Convention 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 Paragraph 630(5)(B).
  - B. Any Democrat seeking to serve as an Elected Member of the DSC shall submit to the State Headquarters, in accordance with Subsection 630(5), 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, nominations shall be accepted from the floor of the County Caucus, 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 Caucus. 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 810 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 Caucus 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 County Caucuses 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 810(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 meeting 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.

## **830. 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.

## **840. 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.

## **850. 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.

## 860. 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.

## 870. 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 9**

### **ADMINISTRATION AND FINANCE**

#### **900. State Headquarters**

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

#### **910. 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.

#### **920. 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.

#### **930. 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.

#### **940. 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.

#### **950. 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.

#### **960. The Fiscal Year**

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

## **970. Contraction for and Payment of Bills**

1. No bills shall be contracted purporting to obligate the Democratic Party unless authorized by a vote of the DSC, except that the Treasurer of the DSC may authorize bills for non-capital expenditures obligating 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 annually. The results of this review shall be made available to the DSC membership.

## **CHAPTER 10 DEMOCRATIC NATIONAL COMMITTEE**

### **1000. 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.

### **1010. 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.

### **1020. 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.

### **1030. 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 11 COORDINATED CAMPAIGN STEERING COMMITTEE (CCSC)**

### **1100. 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.

### **1110. 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.

**1120. Chair**

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

**CHAPTER 12**  
**AFFILIATED DEMOCRATIC ORGANIZATIONS (ADO)**

**1200. 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 other wise 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.

**1210. 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 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 five (5) 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.
  - 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 all personnel grievances by Maine Democratic Party employees, 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 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 shall be a permanent Committee on Rules, for the purposes of making and evaluating proposals to amend this Charter, providing guidance as to its interpretation, and such other duties as specified by this Charter or the DSC.

#### **1410. Membership and Representation**

1. *Membership.* The Committee shall consist of one (1) member elected by each County Committee. Members shall be elected every two years after the State Convention, and shall take office upon election. 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. Each County Committee shall act promptly to hold biennial elections and to fill any vacancy.
2. *Representation.* Rules Committee 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. *Presiding Officer.* The Chair shall be elected from and by the membership of the Rules Committee at the first official meeting, for which a minimum of seven (7) days' notice shall be given, following the State Convention. The Chair shall serve for a term of two (2) years, or until a successor is elected.

#### **1420. Responsibilities**

1. *Recommendations to the Convention.* The Committee shall meet as necessary between conventions to consider possible amendments to this Charter. The Committee may recommend amendments for adoption by the State Convention, and 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. 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. If any amendments to this Charter have been proposed by petition, the Committee shall submit a supplemental report evaluating those proposals. The 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. *Amendments Between Conventions.* The Committee on Rules may propose amendments to this Charter to the DSC for adoption between sessions. The Committee on Rules shall review any proposed amendments originating within the Executive Committee or DSC, and shall promptly report back to the DSC with its recommendation. All reports by the Committee on Rules on proposed amendments shall first be submitted to the Executive Committee for review and opportunity to comment.
3. *Consultation.* The Committee on Rules or a subcommittee designated for that purpose shall meet upon a request of the DSC, the Chair, or the Committee on Credentials to provide guidance in matters of interpretation of this Charter. The Committee shall be available for consultation at the State Convention, and may report to the Convention or the DSC on matters relating to adherence to National Democratic Party Rules and State statutes.
4. *Records.* The Committee shall maintain the official edition of this Charter in both electronic and paper form, which shall be updated each time this Charter is amended by either the State Convention or the DSC, and shall indicate the date of the most recent amendment. The Committee shall also maintain, to the fullest possible extent, records of all amendments to this Charter and all Committee actions interpreting this Charter or evaluating proposals to amend this Charter. A current copy of this Charter shall be kept on file with the DSC and shall be accessible to the public.
5. *Editorial Responsibilities.* The Committee shall have the responsibility of correcting technical errors and inconsistencies when preparing the official version of 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 Subsection 630(5). 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.