

# Oklahoma Democratic Party

## **Proposed Constitution and Bylaws**

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# **Constitution of the Oklahoma Democratic Party**

## **PREAMBLE**

We, the Democrats of the State of Oklahoma, united under the banner of the oldest political party in the world, hereby rededicate ourselves to the principles which have historically sustained our Party. While recognizing the limits of government, we regard democratic government as a force for good and a source of hope. We seek individual freedom in the framework of a just society. We pledge ourselves to uphold the United States Constitution and to work openly and honestly in our efforts to conduct public affairs in a manner worthy of a society of free and responsible citizens.

## **Article I: Authority**

Section 1: Name – The name of this organization shall be the Oklahoma Democratic Party. It shall be an unincorporated association open to all citizens of the State of Oklahoma who support its principles.

Section 2: Controlling Law – This Constitution shall be the supreme governing document of this organization. It shall be controlling unless in conflict with laws of the State of Oklahoma, or the Charter, Bylaws, rules and procedures of the National Democratic Party. However, nothing herein shall be construed as a waiver, modification, dilution or delegation of any right that this organization has under the Constitution of the United States, including, but not limited to, the right to determine its membership and officers, establish its internal rules and procedures, and establish methods of nominating candidates for public office.

Section 3: Parliamentary Law – On any question of procedure not otherwise covered by the Constitution or Bylaws, all bodies of the Democratic Party shall be governed by Robert’s Rules of Order, Newly Revised.

## **Article II: Organization**

Section 1: Delegates – Only voters who are registered as Democrats shall be delegates of the Oklahoma Democratic Party.

Section 2: Precinct Committees – There shall be a Precinct Committee for each precinct in the State of Oklahoma. Every delegate of the Oklahoma Democratic Party shall be a delegate of the Precinct Committee in the precinct in which he or she is registered to vote.

Section 3: County Conventions –

- A) There shall be a County Convention for each county in the State of Oklahoma.
- B) The County Convention shall be composed of:
  - 1) The chair, vice-chair and secretary of each Precinct Committee in the county,
  - 2) Any State delegates to which that county may be entitled,
  - 3) The chair, vice-chair and secretary of the County Convention,

- 4) Members of the State affirmative action committee who are registered to vote in the county,
- 5) The Democratic elected officials (or their personal representatives) who are designated to be delegates in Article III and are registered to vote in the county,
- 6) Members of the Democratic National Committee who are registered to vote in the county,
- 7) The Chair, Vice-chair and Secretary of the Congressional District Convention in the county where they are registered to vote,
- 8) The Secretary and Treasurer of the State Convention in the county where they are registered to vote.

Section 4: Congressional District Conventions – There shall be a Congressional District Convention for each congressional district in the State of Oklahoma which shall be organized as follows:

- A) The chair, vice-chair and secretary of each County Convention shall be delegates to the Congressional District Convention of the congressional district in which the county is located.
- B) The chair, vice-chair and secretary of County Conventions of counties that are in more than one congressional district shall be delegates to the Congressional District Convention of the congressional district which has the largest number of registered Democratic voters in that county.
- C) The State delegates of each county shall be delegates to the Congressional District Convention of the congressional district in which they are registered to vote.
- D) The chair, vice-chair and secretary of the Congressional District Convention shall be delegates to the Congressional District Convention from which they are elected.
- E) The members of the State affirmative action committee shall be delegates to the Congressional District Convention in the district in which they are registered to vote.
- F) Those Democratic elected officials (or their personal representatives) who are designated to be delegates in Article III shall be delegates to the Congressional District Convention in the district where they are registered to vote.
- G) The members of the Democratic National Committee shall be delegates to the Congressional District Convention in the district where they are registered to vote.
- H) The Secretary and Treasurer of the State Convention shall be delegates to the Congressional District Convention in the district where they are registered to vote.

Section 5: State Convention – There shall be a State Convention which shall be composed of the following delegates:

- A) The chair, vice-chair and secretary of each County Convention,
- B) The State delegates allocated to each County Convention,
- C) The chair, vice-chair and secretary of each Congressional District Convention,
- D) The chair, vice-chair, secretary and treasurer of the State Convention,
- E) The members of the Democratic National Committee from Oklahoma,

- F) The president of each recognized federation of State Democratic clubs, who shall be voting ex officio delegates,
- G) One delegate elected by convention from each recognized federation of State Democratic clubs,
- H) The members of the State affirmative action committee, and
- I) Those Democratic elected officials (or their personal representatives) who are designated to be delegates in Article III.

### **Article III: Public Officials**

Section 1: Members of Congress – Democratic members of the U.S. House of Representatives and U.S. Senate from Oklahoma shall be voting, ex officio delegates to the County Convention of the county in which they are registered to vote, the Congressional District Convention of the congressional district in which they are registered to vote and the State Convention.

Section 2: State Elected Officials – Democratic officials elected in a statewide race other than U.S. Senator shall be voting, ex officio delegates to the County Convention of the county in which they are registered to vote, the Congressional District Convention of the congressional district in which they are registered to vote and the State Convention.

Section 3: Other State Officials – Democratic members of the Oklahoma State Senate and Oklahoma House of Representatives and Democratic District Attorneys shall be voting, ex officio delegates to the County Convention of the county in which they are registered to vote, the Congressional District Convention of the congressional district in which they are registered to vote and the State Convention.

Section 4: County Officials – Democratic county elected officials shall be voting, ex officio delegates to the County Convention of the county they represent.

Section 5: Personal Representatives –

- A) A member of Congress, State elected official or State legislator may designate one Democrat to act as that official’s personal representative to participate and vote in his or her absence at any meeting of those conventions or committees of which he or she is a delegate.
- B) To designate a personal representative, a public official must give written notice to the State Secretary, who shall notify the appropriate committees. Said designation or change of designation may be made at any time, but to be effective must be made at least thirty (30) days prior to the date of a meeting.
- C) No delegate of any convention or respective committee shall serve as a personal representative of any public official.

Section 6: Party Office – An elected Democratic official may hold a Party office, but shall have only one vote, and shall not have a personal representative.

### **Article IV: Party Officials**

Section 1: Precinct Committee Officials –

- A) Each Precinct Committee shall elect a precinct chair, vice-chair (who shall be of the opposite gender of the chair) and secretary to serve as its officers.
- B) Each Precinct Committee may elect two precinct committeewomen and two precinct committeemen, who shall not be delegates of the County Convention under Article II above.

Section 2: County Convention Officials –

- A) Each County Convention shall elect a county chair, vice-chair (who shall be of the opposite gender of the chair) and secretary to serve as its officers.
- B) Each County Convention, or political subdivision thereof, shall elect the State delegates to which the county may be entitled.
  - 1) One-half (1/2) of whom shall be male and one-half (1/2) shall be female, or as close thereto as mathematically possible. The county officers shall be considered in determining equal division of genders.
  - 2) State delegates shall be allocated to each county as the total of that county's vote for the [V] the Democratic nominees for the U.S. Senate and Governor in the most recent general election, [W] all the candidates in the most recent Democratic primary election for those two offices, and [Y] the Democratic nominees for President in the two most recent Presidential election bears to [Z] the total of the statewide vote for all those candidates; the quotient of such fraction shall be multiplied by 528, with resulting fractions of .5 or greater rounded upward, i.e.  $(V+W+Y) / Z \times 528 = \text{number of State delegates}$ .
  - 3) Where portions of a county lie in different congressional districts, that county's State delegates shall be allotted to each portion as that portion's Democratic vote for the above candidates bears to the total such vote in the county as a whole.
  - 4) If a portion of a county should earn less than one-half (1/2) of a State delegate, it shall nonetheless be granted a State delegate in addition to those allocated to the county.
  - 5) These State delegates shall be used to encourage full participation of groups frequently underrepresented in Party organization pursuant to the standards of nondiscrimination and affirmative action. The constituency percentages within a county of these groups shall be established as goals for representation of those groups among that county's officers and State delegates.
  - 6) Upon a proper motion, second and approval by a majority of the credentialed delegates, including proxies, any county may vote to delegate the election of the county's state delegates to two or more ad hoc groups within the county convention, each group electing its proportionate share based on the number of votes held by that groups members compared to the total number of votes held by all such groups.

Section 3: Congressional District Convention Officers – Each Congressional District Convention shall elect a district chair, vice-chair (who shall be of the opposite gender of the chair) and secretary to serve as its officers.

Section 4: State Convention Officers – The State Convention shall elect a State Chair, vice-chair (who shall be of the opposite gender of the chair), secretary and treasurer (who shall be of the opposite gender of the secretary) to serve as its officers.

Section 5: National Committee Members – Positions on the Democratic National Committee allocated to the Oklahoma Democratic Party shall be filled by election every four years by a majority vote of delegates to a State Convention called pursuant to a National Call for the election of delegates to a National Presidential Nominating Convention of the Democratic Party.

#### **Article V: Affirmative Action**

Section 1: Commitment – The Oklahoma Democratic Party shall take action to encourage full participation and representation by minority groups in Party organizations and activities.

Section 2: Minority Groups – Minority groups shall mean those groups in the Democratic population that are frequently underrepresented in the Party organization. Specific attention shall be given to the participation of Blacks, Hispanics, Native Americans, Asian/Pacific Americans, and physically handicapped Americans.

Section 3: Native Americans – Native Americans shall mean those citizens who are able to provide proof of their Native American ancestry.

Section 4: State Officials – At its organizational meeting, the State Convention shall elect to the State Central Committee two men and two women who must be members of minority groups underrepresented in the Party.

Section 5: Affirmative Action Committee

- A) There shall be an affirmative action committee of the Oklahoma Democratic Party which shall consist of:
  - 1) One man and one woman to be elected by each Congressional District Convention at its organizational meeting,
  - 2) The four members elected by the State Convention, and
  - 3) Five members, two men, two women, and one member, either a man or woman, to be appointed by the State Chair.
- B) All members of the committee must be members of minority groups frequently underrepresented in the Party organization.
- C) All members of the affirmative action committee shall be delegates to the State Convention and of their respective Congressional District and County Conventions.

#### **Article VI: Central Committees**

Section 1: County Central Committees – There shall be a County Central Committee for each county, which shall consist of the chair, vice-chair and secretary of the County Convention.

Section 2: Congressional District Central Committees – There shall be a Congressional District Central Committee for each congressional district, which shall consist of the chair, vice-chair and secretary of the Congressional District Convention.

Section 3: State Central Committee – There shall be a State Central Committee, which shall consist of:

- A) The chair, vice-chair, secretary and treasurer of the State Convention,
- B) The chair, vice-chair and secretary of each Congressional District Convention,
- C) The members of the Democratic National Committee from Oklahoma,
- D) The president of each recognized federation of Democratic clubs, who shall be a voting ex officio member,
- E) Four affirmative action committee members,
- F) A representative selected from among them by Oklahoma’s congressional delegation, a representative selected from among them by Democratic officials elected statewide, a State Senator selected by the Democratic Caucus of the State Senate, and a State Representative selected by the Democratic Caucus of the State House of Representatives.

#### **Article VII: Committee Powers and Duties**

Section 1: Precinct Committees – The Precinct Committee shall:

- A) Be the governing body of the Democratic Party within the precinct,
- B) Conduct and direct all Democratic Party activities within the precinct,
- C) Provide leadership and direction for the Democrats within the precinct,
- D) Operate under the direction of the County Convention and Central Committee,
- E) Propose resolutions to the County Convention and Central Committee,
- F) Raise funds for the county party, but may not retain or disburse any funds.

Section 2: County Conventions – The County Convention shall:

- A) Be the governing body of the Democratic Party within the county.
- B) Provide leadership and direction for the Democrats, Precinct Committees and Democratic clubs within the county.
- C) Conduct and direct all Democratic Party activities within the county.
- D) Operate at the direction of the Congressional District and State Conventions and Central Committees.
- E) Have the authority to adopt by majority vote bylaws to organize and govern the county party. Such bylaws shall:
  - 1) Be approved by the State Central Committee before becoming effective,
  - 2) Be consistent with the Constitution and Bylaws of the Oklahoma Democratic Party,
  - 3) Not include any rule that delegates or reduces the authority of the County Central Committee; provided, however, that the County Central Committee may delegate authority to any subunit of the county party at its discretion, and may rescind such delegation at any time.
- F) Provide that State delegates allocated to the county shall be used to encourage full participation by those groups frequently underrepresented in the Democratic Party organization and that affirmative action goals may be used, when appropriate.

- G) Having the authority to adopt a plan delegating the selection of State delegates to subunits of the county party.
- H) Adopt such rules or procedures as it deems appropriate, provided that such rules are consistent with the Constitution and Bylaws of the Oklahoma Democratic Party.
- I) Have the authority to establish by resolution policies to govern the activities of the Precinct Committees and the County Central Committee when the County Convention is not in session.
- J) Have the authority to issue letters of reprimand for violation of Party rules.

Section 3: County Central Committees – The County Central Committee shall have the authority to:

- A) Act for and on behalf of the County Convention when it is not in session, except for those matters exclusively vested in the County Convention in the Constitution and Bylaws of the Oklahoma Democratic Party.
- B) Call meetings of the County Convention.
- C) Nominate Democrats to positions on those county and precinct election boards to which the County Democratic Party may be entitled by State law.
- D) Propose bylaws, rules of procedure and resolutions to the County Convention.
- E) Establish standing committees, advisory committees, ad hoc committees and committees of political subunits within the county.
- F) Implement resolutions adopted by the County Convention; and it shall not have the power to abrogate any such resolutions.
- G) Raise and disburse funds and deposit any such funds in an account in the name of the county party.

Section 4: Congressional District Conventions – The Congressional District Convention shall be the governing body of the Democratic Party within the congressional district, operate at the directions of the State Central Committee and have the authority to:

- A) Provide leadership and direction for the county parties within the congressional district.
- B) Conduct and direct all Democratic Party activities within the congressional district.
- C) Adopt such rules of procedure as it deems appropriate, provided such rules are consistent with the Constitution and Bylaws of the Oklahoma Democratic Party.
- D) Establish by resolution policies to govern the activities of the county parties and the Congressional District Central Committee when the Congressional District Convention is not in session.
- E) Issue letters of reprimand for violations of Party rules.

Section 5: Congressional District Central Committees – The Congressional District Central Committee shall have the authority to:

- A) Act for and on behalf of the Congressional District Convention when it is not in session, except for those matters exclusively vested in Congressional District Conventions by the Constitution and Bylaws of the Oklahoma Democratic Party.
- B) Call meetings of the Congressional District Convention.

- C) Propose Bylaws for county parties and rules of procedure and resolutions to the Congressional District Convention.
- D) Establish standing committees, advisory committees and ad hoc committees.
- E) Implement resolutions adopted by the Congressional District Convention; and it shall not have the power to abrogate such resolutions.
- F) Raise and disburse funds and deposit any such funds in an account in the name of the Congressional District Party.
- G) Appoint a committee or committees to conduct an audit of the financial affairs of each county party in the district. Such committee(s) shall be appointed in January of each year and shall issue a report by April of that year.

Section 6: State Convention – The State Convention shall:

- A) Be the supreme governing body of the Democratic Party of Oklahoma, and all congressional district parties, county parties, Democratic clubs and federations of Democratic clubs shall be subordinate to the State Convention and shall operate under and at its direction.
- B) Have the exclusive authority to amend the Constitution and Bylaws of the Oklahoma Democratic Party.
- C) Have the ultimate authority to establish rules of procedure as it deems appropriate, provided such rules are consistent with the Constitution and Bylaws of the Oklahoma Democratic Party.
- D) Have the authority to establish by resolution policies to govern the activities of all organizations of the Oklahoma Democratic Party.
- E) Have the authority to overrule the State Central Committee on any appeal it has decided.
- F) Raise and disburse funds and deposit any such funds in accounts in the name of the Oklahoma Democratic Party.

Section 7: State Central Committee –

- A) The State Central Committee must:
  - 1) Plan and approve an annual budget, approve the disbursement of funds not covered within the budget, and approve any loan taken out in the name of the Democratic Party,
  - 2) Conduct an annual audit of the financial affairs of the State Party; such audit should be conducted by a certified public accountant and shall be done in accordance with generally accepted auditing standards. The audit report shall include a balance sheet, a statement of revenues and expenditures and a report on internal controls and compliance with applicable laws. This report shall be made available to any Democrat upon request.
- B) The State Central Committee shall have the authority to:
  - 1) Act for and on behalf of the State Convention when it is not in session, except for those matters exclusively vested in the State Convention by the Constitution and Bylaws of the Oklahoma Democratic Party,
  - 2) Call meetings of the State Convention,

- 3) Provide leadership, direction and coordination for all Democratic organizations within the State,
- 4) Propose rules of procedure, resolutions and amendments to the Constitution and Bylaws of the Oklahoma Democratic Party to the State Convention,
- 5) Adopt a plan to govern the Presidential delegate selection process pursuant to the direction of the National Democratic Party,
- 6) Establish ad hoc committees to advise the State Central Committee and to implement its policies,
- 7) Establish long term and short term goals for the Democratic Party and develop both long term and short term plans to achieve them,
- 8) Implement such policies as may be established by the State Convention by resolution; and it shall not have the authority to abrogate any such resolutions,
- 9) Conduct political research and provide it to Democratic candidates,
- 10) Establish a State Party office,
- 11) Collect and provide election results and analyses and voter registration data,
- 12) Assist Democratic nominees in all aspects of campaigning,
- 13) Prepare and distribute Democratic literature to Democratic organizations and their members and to the general public,
- 14) Conduct workshops for Democratic candidates, workers and Party officials,
- 15) Conduct media campaigns on behalf of the Democratic Party and its nominees through print, radio, television and other media,
- 16) Order an audit of any Democratic organization whenever the committee deems it appropriate; any costs of such audit shall be borne by the State Democratic Party,
- 17) Take such other action as may be specifically directed by the Constitution and Bylaws of the Oklahoma Democratic Party,
- 18) Take other actions not herein above authorized, as may be deemed appropriate, to further the goals and policies of the Oklahoma Democratic Party but are not otherwise in conflict with the Constitution and Bylaws of the Oklahoma Democratic Party,
- 19) Appoint a committee or committees to conduct an audit of the financial affairs of each Congressional District Party. The committee(s) shall be established by March of each year and shall issue a report by May of that year.

### **Article VIII: Appeals**

Section 1: Precinct Committee – In the event of a disagreement over the interpretation or application of any Party rule or procedure that may arise at a Precinct Committee meeting and is not satisfactorily resolved at that meeting, a Democrat may appeal the decision of the Precinct Committee at the next regular meeting of the County Convention. Should the decision of the County Convention not be deemed satisfactory, the aggrieved individual may appeal the decision to the State Central Committee.

Section 2: Other Appeals – In the event of a disagreement over the interpretation or application of any Party rule or procedure that may arise at any County Convention meeting, County Central Committee meeting, Congressional District Convention meeting, Congressional District Central Committee meeting, Democratic club meeting or State federation of Democratic clubs meeting and is not satisfactorily resolved at the respective meeting, a Democrat may appeal the decision to the State Central Committee.

Section 3: Appellate Procedure – Upon the receipt of a written appeal to the State Central Committee, the State Chair with the advise and consent of the State Central Committee shall attempt to mediate a settlement; or appoint a special master or appellate committee to review and investigate the grounds of the appeal and make a recommendation to the State Central Committee.

Section 4: State Central Committee – Upon the receipt of the recommendation of the special master or appellate committee and upon being fully informed of the grounds and circumstances of the appeal, the State Central Committee shall vote to uphold, overturn or modify the decision of the lower body.

Section 5: Conciliation – Nothing herein shall be construed to prevent the special master or appellate committee from attempting to resolve any dispute between the parties involved. Should the parties resolve their differences, they may enter into an agreement as to the action they will take or refrain from taking and, with the approval of the special master or appellate committee, make that recommendation to the State Central Committee.

Section 6: Reprimand – The State Central Committee may issue letters of reprimand to officers for violation of Party rules. Said letters shall be mailed to the delegates of the committee from which the officer was elected.

Section 7: Supreme Authority – The decision of the State Central Committee may be appealed at the next regular meeting of the State Convention.

### **Article IX: Policy Rules**

Section 1: Six Basic Elements:

A) All public meetings at all levels of the Oklahoma Democratic Party shall be open to all members of the Oklahoma Democratic Party regardless of race, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status or philosophical persuasion.

B) No test of membership in, or any oaths of loyalty to, the Oklahoma Democratic Party shall be required or used which has the effect of requiring prospective or current members of the Oklahoma Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status or philosophical persuasion.

C) The time and place for all public meetings of the Oklahoma Democratic Party on all levels shall be publicized fully and in such a manner as to assure timely notice to

all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.

D) The Oklahoma Democratic Party on all levels shall support the broadest possible registration without discrimination on the grounds of race, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status or philosophical persuasion.

E) The Oklahoma Democratic Party shall publicize fully and in such a manner as to assure notice to all interested persons a full description of the procedures for selection of the officials and representatives of the Oklahoma Democratic Party on all levels. Publication of these procedures should be done in such a fashion that all prospective and current members of the Oklahoma Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in the selection process at every level of the Oklahoma Democratic Party.

F) The Oklahoma Democratic Party shall publicize fully and in such a manner as to assure notice to all interested persons a complete description of the qualifications for all positions as officials and representatives of the Oklahoma Democratic Party. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the Oklahoma Democratic Party will have full and adequate opportunity to compete for office.

Section 2: Unit Rule – No convention or committee of the Oklahoma Democratic Party shall require any member to cast a vote or be recorded as voting contrary to that person’s preference.

Section 3: Equal Division – In the selection, election or appointment of members to conventions or committees there shall be equal representation of men and women in so far as mathematically possible.

### **Article X: State Presidential Electors**

Section 1: Selections – The State Central Committee shall select the Democratic nominees for Presidential electors.

Section 2: Distribution – There shall be one nominee selected from each congressional district and two selected from the State at large.

Section 3: Announcement – The names of the nominees shall be announced at the State Democratic Convention called to select delegates to the Democratic National Nominating Convention.

Section 4: State Officers – The State officers shall be empowered to take such further acts as may be necessary to have the names of the nominees placed on the ballot.

## **Article XI: Auxiliary Organizations**

Section 1: Review – No organization functioning within the State of Oklahoma shall purport to represent the Oklahoma Democratic Party or use the words “Democrats” or “Democratic” in its name unless it shall have obtained a letter of recognition from the County Central Committee of the county in which it intends to function. Clubs shall apply for letters of recognition annually. No central committee of any unit of the Democratic Party shall refuse to issue such letter to any organization except for good cause, which shall be stated in writing.

Section 2: Establishment – Any group of registered Democrats may establish a Democratic club to promote the Oklahoma Democratic Party, its principles and its nominees.

Section 3: Membership – No Democratic club or federation shall restrict its membership or officers because of race, color, creed, religion, national origin, ethnic identity, sexual orientation, economic status or philosophical persuasion.

Section 4: State Federations – Any State federation of Democratic clubs shall be established in the Bylaws of the Oklahoma Democratic Party. Every State federation of Democratic clubs shall annually apply for a letter of recognition from the State Central Committee and shall submit its Bylaws and amendments of its Bylaws to the State Central Committee for approval.

Section 5: Affiliation – Any Democratic club may affiliate with the appropriate recognized federation of State Democratic clubs, but it shall not be required to do so.

Section 6: Club Bylaws – Whether a Democratic club is affiliated with a State federation of Democratic clubs or not, it shall adopt a set of bylaws which shall be the club’s governing document and shall submit them to the State Central Committee for approval. No County Central Committee shall issue a letter of recognition to any club whose bylaws have been rejected by the State Central Committee.

Section 7: Recording of Recognition – Each County Central Committee which recognizes a Democratic club shall forward a copy of the letter of recognition to the State Secretary.

Section 8: Officers – Every Democratic club shall annually submit a list of its officers and members with addresses and telephone numbers to the appropriate county secretary and the State Secretary.

Section 9: Denial of Recognition – No State federation of Democratic clubs shall admit as an affiliate any Democratic club that is not currently recognized.

Section 10: Financial Reports – Every Democratic club shall submit a financial statement to the vice-chair of the county in which it functions by February 1 of each year, as a part of its annual application for recognition. A copy of the financial statement shall also be sent to any federation of Democratic clubs of which it is a member. Every State

federation of Democratic clubs shall submit a financial statement to the State Treasurer by February 1 of each year as a part of its annual application for recognition.

### **Article XII: Amendments**

Section 1: Constitution – Amendments to the Constitution shall require the affirmative vote of two-thirds (2/3) of the members present and voting at a regularly called meeting of the State Convention.

Section 2: Bylaws – Amendments to the Bylaws shall require the affirmative vote of a majority of the members present and voting at a regularly called meeting of the State Convention.

Section 3: Notice – The Constitution and Bylaws may be amended at any regularly called meeting of the State Convention provided that printed copies of any proposed amendment shall have been mailed to every member of the State Convention by the State Secretary at least twenty (20) days prior to the day of the meeting.

Section 4: Amendments – A proposed amendment of the Constitution or the Bylaws may be amended by a two-thirds (2/3) majority vote of the members of the State Convention present and voting. Amendments made from the floor must be reasonably related and germane to the subject matter of the section sought to be amended.

Section 5: Effective Date – All amendments to the Constitution and Bylaws shall become effective immediately unless otherwise stated after the amendment.

Section 6: Record – The State Secretary shall make and preserve a verbatim transcript of the motions and debate on any proposed amendment to the Constitution and Bylaws.

# By-Laws of the Oklahoma Democratic Party

*Adopted March 18, 1989. Amended May 15, 1993, May 18, 1997, May 15, 1999, May 17, 2003, and February 21, 2004*

## **Article I: Calls and Elections of Officials**

Section 1: The Organizational Meetings – The Precinct Committees and County, Congressional District, and State Conventions shall meet in odd-numbered years and elect officers and such other officials as may be required to serve until the next organizational meeting.

- A) The Precinct Committees shall meet on the second Thursday in March at 7 p.m.; however, the County Central Committee of a county, allocated three (3) or less State delegates as set out in Subsection 2.C of Article IV of the Constitution, may vote to call precinct meetings on the same date specified in Subsection B of this Section 1 for the County Convention at a time prior to the County Convention, and shall mail a call for both the precinct and county meetings on the date required for precinct calls in Section 2 of this Article I of the By-Laws.
- B) The County Conventions shall meet at 10 a.m. or 2 p.m. on the fourth Saturday following the precinct committee meetings or any day within 7 days of the regularly scheduled county convention meetings.
- C) The Congressional District Conventions shall meet at 10 a.m. or 2 p.m. on the fourth Saturday following the County Convention meetings.
- D) The State Convention shall meet on the second weekend following the Congressional District Convention meetings unless the State Central Committee, by a two-thirds (2/3) majority vote, moves the meeting to the third or fourth Saturday following the Congressional District Convention meeting.
- E) It shall be the determination and decision of the State Central Committee that should any holiday be in conflict with any of these dates, they may elect to change the date and time by a majority vote.

Section 2: Precinct Call –

- A) The organizational meeting of a Precinct Committee shall be called by the County Central Committee's mailing to the precinct officers the official call of the meeting, which shall include the date, time and location of the precinct meeting. Said call shall be mailed at least ten (10) days prior to the meeting date. The County Central Committee shall further publicize notice of the meeting, and precinct officers shall notify Democrats and publicize notice of the meeting within the precinct. The County Central Committee should mail the call to precinct committee delegates and to other Democrats interested in Party affairs and should also publish a list of the precinct meetings in a local newspaper.
- B) A meeting of the Precinct Committee other than the organizational meeting:
  - 1) May be called by the precinct chair,
  - 2) May be called by the County Central Committee on its own initiative,
  - 3) Shall be called by the County Central Committee upon receipt of a petition signed by fifteen (15) registered Democrats from the precinct.

- C) Notice of a meeting of the Precinct Committee called pursuant to subsection B shall be given by publicizing the meeting and contacting the registered Democrats of the precinct as may be feasible.

Section 3: County Convention Call – A meeting of the County Convention shall be called by the County Central Committee’s mailing to all the precinct officers and other delegates of the County Convention the official call, which shall include the date, time and location of the County Convention meeting. It shall also state the names of the chairs and all members of the meeting committees and the time, date and location of their meeting. The call shall be mailed at least ten (10) days prior to the meeting date. The Central Committee shall further publicize the meeting to inform the public.

Section 4: County Central Committee Call – A meeting of the County Central Committee may be called by the County Chair.

Section 5: Congressional District Convention Call – A meeting of the Congressional District Convention shall be called by the Congressional District Central Committee’s mailing to all county officers, State committee delegates and all other delegates to the committee the official call, which shall include the date, time and location of the meeting. It shall also state the names of the chairs and all members of the meeting committees and the time, date and location of their meeting. Said call shall be mailed at least fifteen (15) days prior to the meeting date.

Section 6: Congressional District Central Committee Call – A meeting of the Congressional Central Committee may be called by the congressional district chair.

Section 7: State Convention Call – A meeting of the State Convention shall be called by the State Central Committee’s mailing to all delegates to the Convention, the official call which shall include the date, time and location of the meeting, which shall be in Oklahoma City. It shall also state the names of the chairs and all members of the meeting committees and the time, date and location of their meeting. Said call shall be mailed at least ten (10) days prior to the meeting date.

Section 8: State Central Committee Call –

- A) A meeting of the State Central Committee shall be called by the State Chair’s mailing to all members of the Central Committee a letter calling the meeting, which shall state the date, time and location of the meeting. Said letter shall be mailed at least ten (10) days prior to the meeting date.
- B) A meeting of the State Central Committee may also be called by the State Central Committee’s setting the date, time and location of the meeting at a regularly called meeting of the State Central Committee, in which case the State Secretary shall mail a letter to the members of the committee stating said information at least ten (10) days prior to the meeting date, unless the date of the meeting shall be less than ten (10) days from the date of the meeting at which it is set, in which case the State Secretary shall mail the letter at the earliest possible date.

- C) A meeting of the State Central Committee may also be called by ten (10) members of the Committee's signing a petition which calls the meeting and states the date, time and location. Notice of the meeting shall be mailed to all the members of the committee at least twenty (20) days prior to the date of the meeting by the State Secretary, but if the State Secretary refuses; any of the petitioners may mail the notices of the meeting.
- D) The notice of a meeting of the State Central Committee shall include an agenda which shall set forth those items which are to be considered or which may require a vote of the Committee and, if the meeting is called pursuant to subsections A or B, shall include a copy of the minutes of the previous meeting.
- E) The State Central Committee may consider an item not on the agenda upon a two-thirds (2/3) majority vote of those present and voting.
- F) Minutes of State Central Committee meetings shall include all votes of the committee and a brief exposition of the discussion reflecting the opinions expressed.
- G) The meeting of the State Central Committee shall be open to the public except that the Committee may go into executive session and exclude anyone not a member of the Committee for personnel matters or for other matters upon a two-thirds (2/3) majority vote.
- H) All votes of the State Central Committee shall be taken in open session.

Section 9: Meeting Committees – The County, Congressional District and State Central Committees shall appoint the following committees of their respective Conventions at the earliest possible date, but not later than the date on which the respective call is issued:

- A) A rules committee to promulgate such rules as may be necessary or expedient to the orderly conduct of the meeting. Such rules shall be consistent with the Constitution and Bylaws of the Oklahoma Democratic Party and with any appropriate Convention Bylaws. Rules for any Convention meeting shall be printed and made available to the delegates at least seventy-two (72) hours prior to the Convention date with copies available at the meeting site at least one (1) hour prior to convening the meeting.
- B) A credentials committee, the staff of which shall not be officers or delegates of the party, to:
  - 1) Prepare a list of delegates and alternate delegates certified by the State Secretary as delegates to the Convention,
  - 2) Hear challenges to the right of any delegate or alternate delegate to be seated at the Convention meeting,
  - 3) Make prior arrangements for an orderly process in distributing credentials, including arranging credentials tables at district and state conventions to group counties in alphabetical order without regard to congressional district,
  - 4) Prepare a credentials "badge" to present to each certified Convention delegate and alternate delegate,
  - 5) Report to the Convention on the number of delegates issued credentials and or the resolution of any dispute,
  - 6) Review and record valid proxy statements,

- 7) Remain open until the adjournment of the Convention meeting; and
  - 8) Make revised reports to the Convention as may be required.
- C) A resolutions committee to:
- 1) Review resolutions proposed to the Convention,
  - 2) Propose resolutions on the initiative of its own members,
  - 3) Revise and draft resolutions,
  - 4) Recommend the adoption of resolutions in its report to the Convention, and
  - 5) Print and make available to delegates all resolutions recommended by the committee at least seventy-two (72) hours prior to the Convention date, with copies to be made available at the meeting site at least one (1) hour prior to convening the meeting.
- D) An arrangements committee (which shall be optional) to handle all the details of securing the meeting site, obtaining any necessary supplies and holding a fund-raising event, if appropriate.

#### Section 10: Elections –

- A) Any registered Democrat may be nominated for election to any Party office if a delegate of the electing body moves the nomination and another delegate of the body seconds the nomination, except for election of precinct officers where a nomination shall require one member of the precinct committee moving the nomination.
- B) To be nominated for any Party office a person who is registered to vote in the respective political unit and is otherwise qualified shall be eligible for nomination even though he or she is not a member of the electing body and regardless of whether he or she is present at the meeting when the election is held.
- C) Any Democrat nominated for election to a Party office shall be entitled to address the electing body in regard to his or her election.
- D) An individual who is elected to a Party office shall immediately assume the title and authority of the office, except when that person is absent from the meeting at which the election occurs. In the latter case the person shall assume office upon accepting the position.
- E) Order of Election - The order of the elections shall be first the Chair, second the Vice-Chair and third the Secretary. At a County's organizational convention this will be followed by the election of State Delegates and alternate delegates, if any. At a District's organizational convention this will be followed by the election of the District Affirmative Action Committee. At a State organizational convention this will be followed by the election of the State Treasurer and the Affirmative Action Committee's state members.
- F) Separate Elections - Each office shall be filled by separate elections.
- G) Nominations - Nominations shall remain open until there are no further nominations.
- H) Speeches - Following the close of nominations each candidate in a contested election shall be allowed one nominating speech of not more than two minutes, one seconding speech of not more than one minute and a speech by the candidate of not more than two minutes. Speaking order shall be in the order in which the

nominations were made. Nominating speeches for all candidates shall be given first, then seconding speeches for all candidates, and finally, all candidate speeches, after which the election shall be held.

- I) Elections - At State conventions all elections of the Chair, Vice-Chair and elected members of the Democratic National Committee shall be by a roll call of the counties unless there is only one person nominated, in which case the chair shall declare that person elected and there shall be no nominating or seconding speeches, or vote taken. All other elections shall be by counted vote. While voting is underway, sergeants-at-arms shall keep the doors closed and shall assist officers in maintaining order. Tally clerks shall assist the officers in the actual count.
- J) Majority Required - All elections of party officials shall require a majority vote. If no candidate receives a majority vote on the first vote, there shall be a runoff election between the two candidates receiving the greatest number of votes on the first vote. Voting shall proceed until one candidate receives a majority vote.

## **Article II: Certification of Election**

### Section 1: Notification of Election Results –

- A) The newly elected secretary of each Precinct Committee shall notify the county secretary of the results of the elections held at the organizational meeting within five (5) business days of the elections. The county secretaries shall notify the State Secretary of the results of the Precinct Committee elections within their counties within ten (10) business days of said elections.
- B) The newly elected secretary of each County Convention shall notify the appropriate district and State secretaries of the results of the County Convention elections within five (5) business days of said elections.
- C) The newly elected secretary of each Congressional District Convention shall notify the State Secretary of the result of the Congressional District Convention elections within five (5) business days of said elections.
- D) Each of the above stated notifications shall be in writing and shall include the office and the name, address and telephone number of each person elected, and shall be signed by the appropriate secretary. Said notices shall be legible. For any convention or committee where no election was held, the notification shall clearly so state.
- E) Notice of appointment, succession or special election of a Party official shall be sent to the above stated appropriate secretary(s) as indicated above within three (3) days of said appointment, succession, or special election.
- F) Receipt by mail of the notifications in this section shall be deemed timely if the postmark on the mailing is within the stated time period.
- G) Party secretaries receiving notices of election results shall make those results available for viewing and/or copying in a reasonable and timely manner.

### Section 2: Certification of Election –

- A) The State Secretary shall certify the receipt and notification of every election, appointment or succession of any official of the Oklahoma Democratic Party by mailing to the appropriate committee(s) a list of all individuals of whose election, appointment or succession it has been notified.

- B) Elections of Precinct Committee officials shall be certified to the respective County Central Committee. Elections of County Convention officials shall be certified to the respective Congressional District Central Committee.
- C) No individual shall receive credentials at a County, Congressional District or State Convention unless that individual has been certified by the State Secretary as a delegate or alternate delegate to that Convention except that delegates or alternate delegates of the Oklahoma Democratic Party who are residents of a county that issues a call for its precinct meetings to be held on the same date as the county convention as provided in Article I, Section 2.A of these By-Laws shall not be required to be certified by the State Secretary as otherwise provided in this subsection.
- D) Certification by the State Secretary shall not be discretionary and shall be made at the earliest possible date.
- E) The State Secretary shall maintain a current list of all Precinct Committee and County, Congressional District and State Convention officials of the Oklahoma Democratic Party. This information shall be available to any registered Democrat.

Section 3: Office Indivisible – Only one individual shall be elected or appointed to an office established by the Constitution, and neither the duties nor privileges of the office shall be divided.

### **Article III: Vacancy in Office**

Section 1: Creation – A vacancy automatically occurs when a Party convention or committee fails to elect an official at its organizational meeting, or when a Party official:

- A) Resigns from office,
- B) Succeeds to another Party office,
- C) Is elected or appointed to another Party office, except at the precinct level,
- D) Dies,
- E) Transfers his or her voter registration from the unit in which he/she was elected,
- F) Changes his or her voter registration from Democrat to Independent or to another party,
- G) Is recalled, or
- H) Fails to attend three (3) consecutive meetings.

Section 2: Succession – The only office that may be filled by succession shall be the chair of any Party convention or committee, the vacancy of which shall automatically be filled by the vice-chair of that convention or committee, unless succession is refused by the vice-chair.

Section 3: Precinct Vacancies –

- A) When a vacancy occurs in a Precinct Committee office, the precinct chair may appoint an individual to the vacant office and within three (3) days so notify the county secretary, who shall notify the State Secretary within seven (7) days of the appointment.
- B) The precinct chair shall have thirty (30) days from the date the vacancy occurs to make an appointment.

- C) If the precinct chair has not made an appointment within thirty (30) days from the date the vacancy occurs, it shall be filled by a committee composed of the County Central Committee and the ex officio public elected officials of the county who represent the precincts in which there are vacancies. Notice of the meeting of this committee must be mailed ten (10) days in advance to all members, and a quorum shall be any number in attendance.
- D) No vacant Precinct Committee office may be filled during the period between the Precinct Committee organizational meeting and the County Convention organizational meeting.

Section 4: County Vacancies –

- A) When a vacancy occurs in an office of the County Convention, the County Central Committee shall either call a meeting of the County Convention within ninety (90) days from the date the vacancy occurred and hold an election to fill it, or waive their right to do so.
- B) If the vacancy is not filled within ninety (90) days from the date the vacancy occurred, or if the County Central Committee has voted to waive their right to call a meeting to hold an election, the Congressional District Central Committee of the Congressional District Convention of which that officer is a delegate shall appoint an individual to fill it.
- C) Each County Convention, when electing State Delegates at its organizational meeting, may elect a reserve group of male and female Alternate Delegates in the event a vacancy occurs as described above. At the time of election the records of the convention shall reflect the order in which any Replacement Delegate is elected. When a vacancy occurs in the office of State Delegate, the County Secretary shall notify the State Secretary the name of the Alternate Delegate of the same gender who is entitled to serve as State Delegate by the order of the election. If no Alternate Delegates have been elected or if there is no record of the order of their election, then the State Delegate vacancy shall be filled in the manner specified for county officers.

Section 5: Congressional District Vacancies –

- A) When a vacancy occurs in a Congressional District Convention office, the Congressional District Central Committee shall either call a meeting of the Congressional District Convention within ninety (90) days from the date the vacancy occurs and hold an election to fill it, or waive the right to do so.
- B) If the vacancy is not filled by the Congressional District Convention within ninety (90) days from the date the vacancy occurred, or if the Congressional District Central Committee has voted to waive its right to call a meeting to hold an election, the State Central Committee shall elect an individual to fill it.

Section 6: State Vacancies – When a vacancy occurs in an office of the State Convention or of an elected National Committee member, the State Central Committee shall meet at the earliest convenient date and elect an individual to fill it.

Section 7: Term – The term of an individual elected, appointed or succeeding to a vacant office shall be for the duration of the term of office so filled.

#### **Article IV: Recall**

Section 1: Grounds – Individuals elected to any Party office shall be subject to recall if they aid, endorse, or in any way help any other political party, independent candidate, or candidate nominated by any other political party in a partisan election; if they refuse or fail to perform their duties; if they are convicted of a crime involving moral turpitude; or if there exists other good cause that the convention or committee on which such official serves believes to be detrimental to the principles and purposes of the Oklahoma Democratic Party. An officer who intends to support a candidate who is not a Democrat in a partisan election shall resign his or her office before taking any such action of support.

Section 2: Central Committee – A Central Committee may call a meeting of the Convention it represents for the purpose of recalling an officer of that Convention. It shall notify the State Central Committee immediately upon issuing such a call.

Section 3: Petition –

- A) Any registered Democrat of the unit represented by a Party official may circulate a petition to recall the official.
- B) A petition for recall must have the signatures of thirty (30) percent of the certified delegates to the respective Convention according to the official list of delegates.
- C) The signatures shall be on a page or pages with both a general explanation of the reason for the recall and the name of the officer(s) to be recalled at the top of each page. Adjacent to each signature shall be clearly printed the name of the signatory and his or her Party position, if any.
- D) Once the requisite number of signatures has been obtained, the original petition shall be sent to the State Central Committee to the attention of the State Chair at least thirty (30) days prior to the date of the recall meeting, along with a copy of the notice of the recall meeting showing the time and place of the meeting.
- E) The petitioner shall mail the notice of the recall meeting, with a copy of the signed petition, to every member of the respective Convention according to the official list by certified mail, return receipt requested. Said mailing shall occur at least thirty (30) days prior to the date of the recall meeting.

Section 4: Presiding Officer – The recall meeting shall be presided over by a Democrat appointed by the State Central Committee. Said individual shall not be a participant in the controversy and shall have no vote. If no officer appears at the recall meeting to preside, the delegates present shall elect one of themselves to act as presiding officer.

Section 5: Quorum – Should the recall meeting fail to attain a quorum of its delegates, no action shall be taken. No further recall meeting may be called based on the petition used to call that meeting.

Section 6: Vote – The vote required to recall an officer shall be a majority vote of those delegates present at the recall meeting. Proxies shall not be allowed at any recall meeting for any purpose.

Section 7: Election – If a motion to recall an officer is adopted, the meeting shall proceed to consider the recall of any other officer included in the recall petition. When there are no further officers to be considered for recall, an election shall be held to fill any vacant office not filled by succession.

Section 8: Relinquishment of Chair – Upon the failure of all motions to recall or upon election or succession of officers, whichever be the case, the State-appointed presiding officer shall then relinquish the chair.

Section 9: Precinct Committee Recall –

- A) Notwithstanding the above stated rules, any registered Democrat may petition the County Central Committee to call a meeting of the Precinct Committee of the precinct in which he or she is registered for the purpose of recalling a precinct officer.
- B) The petition must have the signatures of fifteen (15) registered Democrats in that precinct and shall be in the same form as set out in Section 3 above.
- C) The County Central Committee shall set the date of the meeting upon receipt of the petition and appoint a Democrat to preside at the meeting. Said presiding officer shall not be involved in the controversy and shall not have a vote. The meeting shall be set no later than thirty (30) days from the date of the receipt of the petition.
- D) A quorum shall be fifteen (15) registered Democrats of the precinct.
- E) The recall vote shall require a majority vote of those present.
- F) Petitioners shall be responsible for publicizing or otherwise notifying the registered Democrats of the precinct of the recall meeting. The County Central Committee shall be responsible for notifying the officer to be considered for recall immediately upon receipt of the recall petition.

### **Article V: Voting**

Section 1: Eligible Delegate –

- A) All registered Democrats shall be entitled to participate and vote at any precinct meeting in the precinct in which they are registered to vote.
- B) Only those persons who have received a delegate or a proxy credential at a convention are entitled to vote. Alternate Delegates and individuals who have not received credentials may attend such conventions, but shall remain physically separated from those areas where credentialed delegates are seated.
- C) Only those individuals who are members of the State Central Committee or their designated proxies shall be entitled to vote at meetings of the State Central Committee.

Section 2: Challenge –

- A) The right of an individual to participate in a meeting may be challenged. A challenged individual shall be allowed to participate in a meeting only upon signing an affidavit stating that he or she intends to support the nominees of the Democratic Party in the next election, supports the principles of the Democratic Party and is registered as a Democrat within the respective political unit.
- B) An individual whose credentials to a meeting have been challenged shall not receive credentials until the challenge has been defeated by a vote of the body to which credentials have been sought.
- C) The first order of business of any meeting shall be to vote on the report of the credentials committee which shall include all challenges heard by the committee.

Section 3: Late Arrival – A delegate to a convention who arrives after a meeting has started shall be allowed to participate regardless of whether that convention’s credentials committee has reported to the body. However, a delegate arriving late shall not be allowed to vote on any issue decided prior to arrival or any vote underway at the time of arrival. Credentials shall be given to any delegate to a committee arriving before the meeting has adjourned.

Section 4: Credentialing – The credentials committee staff shall issue credentials to all eligible delegates, alternate delegates and officers. They shall issue proxy credentials to the person who presents a proper proxy form, which the committee shall retain. Such credentials shall be visually distinct from each other

Section 5: Single Vote – Each member of a committee and each delegate to a convention shall have one vote and only one vote unless holding a valid proxy. At a convention delegate credentials and proxy credentials must be displayed in order to be counted.

Section 6: Quorum –

- A) Except for a Precinct Committee, a quorum for any convention or committee established by the Constitution shall be forty percent (40%) of its delegates. Ex-officio members shall not be counted in determining if a quorum is present.
- B) The quorum for a Precinct Committee meeting shall be any number of Democrats registered in the precinct and present at the time and location which was stated in the notice calling the meeting.
- C) Quorum for a meeting to recall a Party officer shall be that set forth in Article IV of the Bylaws.

Section 7: Central Committee Majority – Adoption of a motion before a County or Congressional District Central Committee shall require the vote of the chair and one other member.

Section 8: Procedure – Voting shall be by voice vote except as otherwise provided. However, if a credentialed delegate moves for a “division of the assembly” and the motion is seconded, the chair shall proceed to a counted vote of those delegates displaying their credentials, either by a show of hands or by having the delegates stand.

Section 9: Roll Call Vote –

- A) Except when mandatory for elections a motion for a roll call vote shall require a second and shall be adopted upon a majority vote of those credentialed delegates present and voting.
- B) District and State Conventions. Upon the adoption of such a motion, the Secretary of the Convention shall call for the vote of the delegates of each county by stating the number of duly credentialed delegates from that county according to the latest adopted credentials committee report, to which the County Chair shall reply with the number of votes cast by the delegates from that county for each side of the issue, or for each candidate in the case of elections. After the Secretary of the Convention has called all the counties he/she shall tally the results and report them to the presiding officer who shall announce the results and declare the outcome of the vote.
- C) County Conventions. Upon the adoption of such a motion, the Secretary of the Convention shall call for the vote of the duly credentialed delegates from that county by name according to the latest adopted credentials committee report. After the Secretary of the Convention has called the names of all the credentialed delegates he/she shall tally the results and report them to the presiding officer who shall announce the results and declare the outcome of the vote.

Section 10: Secret Ballot – The use of secret ballot is prohibited at all meetings of the Democratic Party at all levels for election of officers and any other purpose.

Section 11: Proxy Rules –

- A) There shall be two types of proxies:
  - 1) Written Proxies
    - a) A delegate to a convention or committee who is unable to attend a meeting may give a written proxy to an eligible alternate delegate or to a registered Democrat of the same gender from the same political unit as that from which the delegate was elected.
    - b) A written proxy must clearly state the name of the person giving the proxy, the office the giver holds, the name of the person to whom the proxy is given, and the date of the meeting for which the proxy is given. It must be signed and the signature must be notarized by a Notary Public or another officer authorized to administer oaths under the laws of Oklahoma.
    - c) A delegate of a convention or committee who gives a written proxy without attending the respective meeting shall not be counted present to satisfy the attendance requirements of Article III.
  - 2) Recorded and Announced Proxies –
    - a) A delegate to a Convention who attends a meeting and leaves before adjournment may give a recorded proxy by signing before the credentials committee a proxy statement naming the eligible alternate delegate or a delegate of the same gender who shall hold the proxy.

- b) A member to a Central Committee who attends a meeting and leaves before adjournment may give a proxy by announcing to the Central Committee the name of the individual to whom the proxy is to be given. The proxy holder can be of either gender and from any political unit regardless of where the member was elected.
- B) No person shall have the right to cast a vote on behalf of any delegate to a convention or a member of a committee who is not present unless that person holds a valid proxy credential issued by the credentials committee at a convention or a written, recorded or announced proxy at a committee meeting.
- C) After having been issued credentials to a convention established by the Constitution, a delegate shall have the right to give a non-transferable proxy to a registered Democrat of the same gender. The delegate giving the proxy and the person to receive the proxy must be the same gender and appear before the credentials committee or staff for the proxy to be recorded and a proxy credential issued to the person receiving the proxy.
- D) A proxy may contain instructions concerning its use, and such instructions shall be binding on the proxy holder. If the proxy is not instructed, the holder may vote and act at the holder's discretion. If a presiding officer knows that a proxy is instructed and the proxy holder fails or refuses to vote according to instructions, the presiding officer shall ignore the action of the proxy holder and declare the vote of the proxy according to instructions.
- E) No individual may hold more than one proxy.
- F) All public officials and personal representatives established in Article III of the Constitution are prohibited from either giving or holding a proxy.
- G) A proxy shall count for only one vote.
- H) No proxies shall be allowed at Precinct Committee meetings.
- I) Proxies shall be counted for the determination of a quorum.

Section 12: Presiding Officer's Vote –

- A) No presiding officer shall vote on any matter before the body over which he or she is presiding except in the event of a tie and then only if the presiding officer is a delegate to the body.
- B) The chairs of the County and Congressional District Central Committees shall be able to vote at any meeting of the respective Central Committees notwithstanding the above stated rule.

**Article VI: Duties of Officials**

Section 1: General Duties – All officials of the Democratic Party shall:

- A) Support the Democratic Party by attending Party meetings and workshops, Party and candidate fundraising events, and other related events.
- B) Know the Democratic candidates running for elective office in their area and actively campaign for their election.
- C) Encourage unregistered citizens to register Democratic.
- D) Actively encourage Democrats to vote in elections.
- E) Be familiar with the rules, procedures and deadlines governing absentee voting.

- F) Be informed about the positions of the Democratic Party and its candidate on contemporary issues.
- G) Know the dates of upcoming partisan elections.
- H) Support the Party through financial contributions.

Section 2: Precinct Officers and Officials –

A) The Precinct Chair shall:

- 1) Preside over meetings of the Precinct Committee,
- 2) Represent the Democrats of the Precinct at meetings of the County Convention,
- 3) Be responsible for seeing that the results of Precinct Committee elections are timely sent to the county secretary,
- 4) Know current boundaries of the precinct,
- 5) Know the location of the precinct polling place,
- 6) Know who the members of the precinct election board are and help the County Central Committee in finding and recruiting replacements,
- 7) Know of voter registrars in or near the precinct, (Registrars are no longer needed with the Motor-Voter Bill.)
- 8) Maintain contact with the Democrats of the precinct by holding Precinct Committee meetings and workshops and by canvassing them on local races and issues,
- 9) Maintain contact with the County Central Committee,
- 10) Recruit and train precinct workers,
- 11) Maintain a list of locations in the precinct where Democratic candidates may post campaign signs,
- 12) Read and become familiar with the Democratic Party handbook,
- 13) Maintain a current list of registered Democrats in the precinct with telephone numbers.

B) The Precinct Vice-chair shall:

- 1) Preside over meetings of the Precinct Committee when the chair is absent or is otherwise unable to preside,
- 2) Assist the precinct chair in fulfilling the duties of the chair as the precinct chair may direct,
- 3) Collect contributions to the Democratic Party and be responsible for forwarding them to the county vice-chair.

C) The Precinct Secretary shall:

- 1) Take minutes at Precinct Committee meetings and forward a copy to the county secretary,
- 2) Tally votes for Precinct Committee elections and forward the results to the county secretary,
- 3) Record any resolutions the Precinct Committee may adopt and forward them to the county secretary,
- 4) Be responsible with the precinct chair for notifying the Democrats in the precinct of Precinct Committee meetings and of other information as the chair may instruct,
- 5) Perform such other duties as the precinct chair may direct,

- 6) Record the name, address, and telephone number of all Democrats who attend Precinct Committee meetings and forward a copy to the county secretary.
- D) If precinct committeemen or committeewomen are elected, they shall assist the precinct officers as the precinct chair shall direct.

### Section 3: County Officers and Officials –

#### A) The County Chair shall:

- 1) Preside at meetings of the County Convention and County Central Committee or designate a person to preside,
- 2) Nominate Democrats to the county election board, with the advice and consent of the County Central Committee,
- 3) Be the sole spokesperson for the county party unless he or she delegates that responsibility in writing to another person,
- 4) Act as the chief executive and inspirational leader of the county party,
- 5) Be responsible for interviewing prospective candidates and recruiting candidates to run for offices where there is not a Democratic incumbent,
- 6) Communicate with the Party and elected officials of the county, the officers of the Democratic clubs in the county and the congressional district officers,
- 7) Be responsible for training precinct officials,
- 8) Establish a county office,
- 9) Be responsible for hiring staff and recruiting volunteers with the advice and consent of the County Central Committee,
- 10) Be responsible for supplying precinct officials and Democratic workers with materials,
- 11) Be responsible for raising and disbursing funds and for depositing them in an account in the name of the county party,
- 12) Countersign with the vice-chair all checks drawn on an account of the county party,
- 13) Review the qualifications of Republican candidates filed for office in the county to insure that they meet all the statutory qualifications for the respective offices and notify Democratic candidates for the corresponding office in a timely manner if a Republican candidate fails to meet those requirements,
- 14) Appoint the members of meeting committees with the approval of the County Central Committee.
- 15) And in addition may appoint a convention secretary, sergeants-at-arms and tally clerks for each convention that is called. The county party secretary may be appointed as the convention secretary.

#### B) The County Vice-chair shall:

- 1) Preside at meetings when the chair is absent or is otherwise unable to preside and has failed to designate a person to preside,
- 2) Act for the chair when the chair is absent,
- 3) Assist the chair with such tasks as the chair may direct,

- 4) Collect funds from the Precinct Committee vice-chairs for deposit in the county party's account,
- 5) Maintain the financial records of the county party, file financial reports required by law and generally act as treasurer of the county party,
- 6) Assist the chair in raising funds for the county party,
- 7) Assist the chair in training Party workers and candidates in fundraising and in campaign finance laws,
- 8) Countersign with the chair all checks drawn on an account in the name of the county party,
- 9) Submit a financial statement of the county party to the appropriate district vice-chair(s) by January 1 of each year.

C) The County Secretary shall:

- 1) Take minutes of all County Conventions and County Central Committee meetings and forward a copy to the Congressional District Central Committee(s),
- 2) Maintain all records deemed necessary by the county chair,
- 3) Be in charge of the daily operation of the county office and its staff and/or volunteers,
- 4) Assist the county chair or vice-chair as the county chair may direct,
- 5) Assist the chair in publicizing the county party and county democratic nominees,
- 6) Maintain a current list of the registered Democrats of the county with telephone numbers,
- 7) Forward a list of all precinct and county officials to district and State secretaries,
- 8) Notify the district secretary of Party activities in the county.

D) The State delegates shall:

- 1) Attend meetings of the County, Congressional District and State Conventions and represent their constituents,
- 2) Communicate with their constituents,
- 3) Assist the county officers with such tasks as the chair may direct.

Section 4: Congressional District Officers –

A) The Congressional District Chair shall:

- 1) Preside at the meetings of the Congressional District Convention and the Congressional District Central Committee or designate a person to preside,
- 2) Be the sole spokesperson for the Democratic Party in the congressional district unless he or she delegates that responsibility in writing to another person,
- 3) Be the chief executive and inspirational leader of the Democratic Party in the congressional district,
- 4) Be principally responsible for informing the county officers of upcoming events and policy decisions being made by the Congressional District Central Committee and the State Central Committee,
- 5) Be responsible for county officials and for directing, advising and assisting them in the administration of their duties,

- 6) Interview prospective candidates and recruit candidates to run for Congress when there is no Democratic incumbent,
  - 7) Coordinate candidate recruitment efforts of the county chairs in multiple county legislative districts,
  - 8) Supply county officials with Democratic Party materials and forms,
  - 9) Be responsible for raising and disbursing funds and for depositing them in an account in the name of the Congressional District Party,
  - 10) Appoint the members of meeting committees with approval of the Congressional District Central Committee.
  - 11) And in addition may appoint a convention secretary, sergeants-at-arms and tally clerks for each convention that is called. The district party secretary may be appointed as the convention secretary.
- B) The Congressional District Vice-chair shall:
- 1) Preside at meetings when the chair is absent, is unable to preside and has failed to designate a person to preside,
  - 2) Act for the chair when the chair is absent,
  - 3) Assist the chair with such tasks as the chair may direct,
  - 4) Maintain financial records of the Congressional District Party, file financial reports required by law and Party rule, and generally act as treasurer of the Congressional District Party,
  - 5) Assist the chair in raising funds,
  - 6) Assist the chair in training, directing, advising and assisting county officials in the administration of their duties,
  - 7) Sign all checks drawn on an account in the name of the Congressional District Party
  - 8) Train, assist and advise the county vice-chairs of the district in filing financial reports required by law or Party rule,
  - 9) Insure that all county vice-chairs file required financial reports in a correct and timely manner,
  - 10) Prepare and submit a financial statement of the district Party which shall include the financial reports of the county parties in the district to the State Treasurer by March 1 of each year.
- C) The Congressional District Secretary shall:
- 1) Take minutes of all Congressional District Convention and Congressional District Central Committee meetings and forward a copy to the State Secretary,
  - 2) Maintain all records deemed necessary by the chair,
  - 3) Assist the chair and vice-chair as the chair may direct,
  - 4) Assist the chair in publicizing the Congressional District Party and the Democratic nominee for congress,
  - 5) Regularly canvass county secretaries about county party activities and report the activities to the State Central Committee.

Section 5: State Officers –

- A) The State Chair shall:

- 1) Preside at the meetings of the State Convention and the State Central Committee or designate a person to preside,
- 2) Be the sole spokesperson for the Democratic Party in the State unless he or she nominates an individual to be the spokesperson for the Party and that person is approved by the State Central Committee,
- 3) Be the chief executive and inspirational leader of the Oklahoma Democratic Party,
- 4) Be responsible for interviewing and recruiting prospective candidates for public offices in which there is no Democratic incumbent in consultation with appropriate county and congressional district chairs,
- 5) Direct all fund raising efforts of the Democratic Party and assure that all funds are deposited in accounts in the name of the Oklahoma Democratic Party,
- 6) Disburse funds of the Party, reporting such disbursements to the State Central Committee,
- 7) Countersign with one of the other State officers all checks drawn on the accounts of the Oklahoma Democratic Party,
- 8) Coordinate Party activities with the elected Democratic leadership,
- 9) Be responsible for conducting workshops for Democratic nominees for public office in such areas as campaign techniques, fundraising and campaign contribution and election laws,
- 10) Be responsible for directing the biennial Party organizational meeting process and the Presidential delegate selection process,
- 11) Be responsible for conducting workshops for Democratic Party officials and campaign workers,
- 12) Be responsible for maintaining a State headquarters office,
- 13) Be responsible for hiring staff, and for appointing one person to be the State Executive Director with the advice and consent of the State Central Committee. No individual may assume the title of State Executive Director for any purpose without such consent,
- 14) Call meetings of the State Central Committee at such times as the chair deems appropriate,
- 15) Appoint the members of meeting committees with the approval of the State Central Committee, and
- 16) Appoint a convention secretary, sergeants-at-arms and tally clerks for each convention that is called. The state party secretary may be appointed as the convention secretary.

B) The State Vice-chair shall:

- 1) Preside at meetings when the chair is absent, is unable to preside and has failed to designate a person to preside,
- 2) Act for the chair when the chair is absent,
- 3) Assist the chair with such tasks as the chair may direct,
- 4) Assist the chair in raising funds,
- 5) Assist the chair in training programs, seminars and workshops for Democratic nominees for public office, Democratic Party officials and Democratic campaign workers,

- 6) Be authorized to countersign with the chair all checks drawn on the accounts of the Oklahoma Democratic Party.

C) The State Treasurer shall:

- 1) Maintain or cause to be maintained the financial records showing income and disbursements of the State Party organization, said records to be kept at the State office,
- 2) Report completely on the financial status of the Party and activity of the Party's accounts on a regular basis to the State Central Committee,
- 3) File or cause to be filed all financial reports required by law or Party rule,
- 4) Assist the chair in raising funds and deposit all raised funds in accounts in the name of the Oklahoma Democratic Party,
- 5) Be authorized to countersign with the chair all checks drawn on accounts of the Oklahoma Democratic Party,
- 6) Be responsible for training, advising and assisting the congressional district and county vice-chairs in filing financial reports required by law or Party rule,
- 7) Ensure that the congressional district and county vice-chairs file any required financial reports in a correct and timely manner,
- 8) Assist the chair in instructing, advising and assisting Democratic candidates in filing financial reports,
- 9) Serve on the State Finance Committee established in Article VII, Section 3 of these Bylaws.

D) The State Secretary shall:

- 1) Take minutes of all State Convention and State Central Committee meetings,
- 2) Maintain copies of minutes and transcripts of all meetings of the State Convention and the State Central Committee,
- 3) Maintain copies of all minutes that may be sent to State Secretary by county or congressional district secretaries,
- 4) Maintain copies of all rules, resolutions, bylaws and Party constitutions either adopted or proposed,
- 5) Maintain an official list of all current precinct, county, congressional district and State Party officials,
- 6) Certify the election of delegates and alternate delegates to the appropriate conventions or committees,
- 7) Maintain present and all previous lists of delegates and alternate delegates of the State Convention and members of the State Central Committee,
- 8) Maintain a current list of all Democratic elected officials in the State at all levels,
- 9) Maintain such other records as the chair or State Central Committee may instruct,
- 10) Be responsible for making a verbatim transcript of the discussion and action of the State Convention on any proposed amendment to the Constitution or Bylaws,
- 11) Assist the chair or vice-chair as the chair may direct,

- 12) Assist the chair in publicizing the Party and its nominees through such means as a State Party newspaper, press releases, advertisements, etc.
- 13) Assist the chair in training, advising and assisting Democratic candidates in the use of various media in campaigning for office,
- 14) Maintain a list of all Democratic clubs recognized by the County Central Committees, the Bylaws of all Democratic clubs so recognized and a current list of their officers and delegates as provided by those clubs,
- 15) Maintain the official list of personal representatives of public officials and notify the appropriate Party secretaries,
- 16) Be authorized to countersign with the chair all checks drawn on the accounts of the Oklahoma Democratic Party.

### **Article VII: Committees**

Section 1: Standing Committees – There shall be a permanent affirmative action committee of the Oklahoma Democratic Party as established by the Constitution and a permanent finance committee as established hereinafter.

Section 2: Affirmative Action Committee – The responsibilities of the affirmative action committee shall be to:

- A) Encourage groups underrepresented in the Oklahoma Democratic Party organization to participate in Party meetings, elections and events.
- B) Prepare an annual budget and a fundraising plan to finance the activities of the committee.
- C) Work with officers and committees of the Oklahoma Democratic Party at all levels to implement the committee's plans and achieve the committee's goals.
- D) Coordinate the committee's activities with the State Central Committee through the committee's delegates on the State Central Committee.
- E) Publicize the time and place of Democratic Party meetings through appropriate media to reach target groups.
- F) Inform target groups of the procedures for selection of Democratic Party officials at all levels and the qualifications required of candidates for those offices, and such other Party rules and procedures as the committee deems appropriate.
- G) Prepare and distribute such materials the committee may deem appropriate to achieve its goals.
- H) Conduct seminars and workshops to train and educate target groups and Party officials.
- I) Act as the affirmative action committee under future Oklahoma Delegate Selection Plans, draft the affirmative action sections of the Oklahoma Delegate Selection Plan for submission to the State Central Committee and implement said affirmative action plan.
- J) Encourage persons to register and vote as Democrats.

Section 3: Finance Committee –

- A) There shall be established a finance committee of the Oklahoma Democratic Party.

- B) The State Chair shall appoint the delegates and chair of the finance committee with advice and consent of the State Central Committee following the organizational meeting of the State Convention.
- C) The committee's responsibilities shall be to assist the State Central Committee in preparing a budget and a fundraising plan, and to assist the Party officers in raising funds.
- D) The State Treasurer shall be a delegate of the committee.
- E) At least one delegate of the affirmative action committee shall be a delegate of the finance committee.

Section 4: Ad Hoc Committees – With the advice and consent of the State Central Committee, the State Chair may establish and appoint delegates to ad hoc committees, a majority of whose delegates should not be delegates of the State Central Committee.

### **Article VIII: Auxiliary Organizations**

Section 1: Oklahoma Federation of Democratic Women's Clubs –

- A) There shall be an Oklahoma Federation of Democratic Women's Clubs which shall be composed of all recognized Democratic clubs that meet the Federation's requirements for membership and choose to affiliate.
- B) The Oklahoma Federation of Democratic Women's Clubs shall restrict the membership of all affiliated clubs of women, but shall require affiliated clubs to be open to all female members of the Democratic Party regardless of age, race, color, creed, religion, national origin, ethnic identity, sexual orientation, economic status or philosophical persuasion.

Section 2: Oklahoma Federation of Young Democrats Clubs –

- A) There shall be an Oklahoma Federation of Young Democrats Clubs which shall be composed of all recognized Democratic clubs that meet the Federation's requirements for membership and choose to affiliate.
- B) The Oklahoma Federation of Young Democrats Clubs shall restrict the membership of all affiliated clubs to Democrats 35 years of age and younger, but otherwise shall be open to all members of the Oklahoma Democratic Party regardless of gender, race, color, creed, religion, national origin, ethnic identity, sexual orientation, economic status or philosophical persuasion.
- C) The Oklahoma Federation of Young Democrats Clubs may have a college Democrats division, a high school Democrats division and such other divisions as the federation deems appropriate.

Section 3: Oklahoma Federation of Stonewall Democrats Clubs –

- A) There shall be an Oklahoma Federation of Stonewall Democrats Clubs, which shall be composed of all recognized Democratic clubs that meet the Federation's requirements for membership and choose to affiliate.
- B) The Oklahoma Stonewall Democrats shall be open to all members of the Oklahoma Democratic Party regardless of gender, race, color, creed, religion, national origin, ethnic identity, sexual orientation, economic status, disability or philosophical persuasion.

Section 4: Oklahoma Democratic Party Veterans Committee –

- A) There shall be an Oklahoma Democratic Veterans Committee, which shall be composed of all recognized Democratic clubs that meet the Federation’s requirements for membership and choose to affiliate.
- B) The Oklahoma Democratic Party Veterans Committee shall be open to all members of the Oklahoma Democratic Party regardless of gender, age, race, color, creed, religion, national origin, ethnic identity, sexual orientation, economic status, disability or philosophical persuasion.

**Article IX: Policies**

Section 1: Nomination – The nominees of the Democratic Party for all public offices shall be determined by primary election and, where necessary, by run-off primary election.

Section 2: Presidential Delegate Selection – The selection of delegates to the Democratic National Nominating Convention shall be based on the results of a Presidential Preference Primary Election.

Section 3: Closed Primary – Only voters who have registered as Democrats prior to a Democratic primary election may vote in that Democratic primary election.

Section 4: Democratic Candidate Qualifications – The Oklahoma Democratic Party shall not require any candidate for public office in the State of Oklahoma to take any test of membership or oath of loyalty to run as a Democrat; however, the State Chair shall solicit a written pledge from all candidates who file as Democrats for public office in races where there is a Democratic primary election to support the Democratic Party’s nominee.

Section 5: Candidate Fees – The Oklahoma Democratic Party shall not require any Democratic candidate for public office in the State of Oklahoma to pay any fee to file as a Democrat for public office.