

# Rules of the Michigan Democratic Party

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These rules are current as of June 1, 2011.  
Please call the Michigan Democratic Party, (517) 371-5410,  
to determine if there have been any amendments.

**PREAMBLE:** We, the members of the Democratic State Central Committee of Michigan, do hereby establish and adopt these rules of the Democratic Party of Michigan based on the following principles:

The Principle of People — giving service to the needs and aspirations of all people.

The Principle of Democracy — working for equal opportunity for access and full participation of all elements of society in all political and governmental processes.

We further state that the Democratic Party of the State of Michigan consists of those qualified members of the Democratic Party as described in these rules who work for and support the principles of the Democratic Party.

## **ARTICLE 1. STATUTORY PROVISIONS**

The Democratic Party of Michigan, in the exercise of its constitutional rights of association and speech, reserves the right to accept or decline the application of Michigan statutory provisions which appear to govern its affairs. The incorporation of statutory provisions in these rules is voluntary and is subject to the foregoing reservation.

## **ARTICLE 2. POLICY**

### **A. Fundamental Principles**

1. All public meetings at all levels of the Democratic Party in Michigan shall be open to all members of the Democratic Party regardless of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

2. No tests for membership in, nor any oaths of loyalty to, the Democratic Party in Michigan shall be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

3. The time and place for all public meetings of the 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.

4. The Democratic Party, on all levels, shall support the broadest possible participation without discrimination on grounds of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

5. The Democratic Party in each County/District shall publicize fully and in

such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representation on all levels. Publication of these procedures shall be done in such a fashion that all prospective and current members of each County/District Democratic Party will be fully and adequately informed of the pertinent procedure in time to participate in each selection procedures at all levels of the Democratic Party organization.

6. The Democratic Party in each County/District shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the 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 each County/District Democratic Party will have full and adequate opportunity to compete for office.

7. The Michigan Democratic Party shall establish endorsement and censure procedures on the state and legislative levels where warranted. At the local level, these procedures shall be the function of the local party.

8. Proportional voting shall be used in the election of delegates and alternates to any County or Congressional District Convention, delegates and alternates of the Democratic State Central Committee, and members of any County or District Executive Committee.

9. Votes shall not be taken by secret ballot at any meeting of the Democratic Party in Michigan at any level.

## **B. Standard Rules of All Levels of the Party Structure**

The official structure of the Michigan Democratic Party shall consist of Precinct, County, District and Statewide organizations established by these rules (hereinafter referred to as units).

1. Any unit of the Democratic Party is authorized to establish a system of standing rules for that unit. Such rules may relate to questions of implementation or policy and may be changed as required.

2. No rule shall be adopted by any unit of the Democratic Party which is inconsistent with the rules of this document.

3. Any rule adopted by any unit of the Democratic Party shall be made available on request in writing to any member of the Democratic Party in that unit.

4. Any rule adopted by any unit of the Democratic Party shall within thirty (30) days be submitted by the Secretary of that unit to the Corresponding Secretary of the State Central Committee. Copies of all rules shall be maintained at the office of the State Central Committee.

5. In any unit of the Democratic Party on any question of procedure, the latest edition of Robert's Rules of Order shall be used.

6. The Chairperson and Vice-Chairperson of any unit, Committee, Caucus or Convention of the Democratic Party within the State, shall be of the opposite sex.

7. The Unit Rule shall be prohibited at all levels of the Democratic Party structure.

8. No rule shall be adopted by any unit of the Democratic Party which would require any person to cast a vote or be recorded as voting contrary to that person's judgment.

### **ARTICLE 3: PRECINCT ORGANIZATION**

#### **A. Apportionment of Precinct Delegates**

On or before April 1 in even-numbered years, the Chairperson of the County Committee or District Committee considered a County under Section 592 of the Michigan Election Law shall forward by mail or deliver to the Board of Election Commissioners in each County, a certificate showing the number of delegates to the County and/or District Conventions to which each precinct of the County is entitled.

If the Chairperson fails to have such a certificate forwarded by mail or delivered to the Board of Election Commissioners of any County by the day specified, then that Board of Election Commissioners immediately shall determine the number of delegates to the County and/or District Conventions that each precinct shall elect which is necessary for the appropriate implementation of these rules.

The allotment of delegates to all precincts in the state shall be made to insure, as near as is practicable, equal apportionment based on the total vote cast for either the President of the United States or Secretary of State at the last general election when elections for those offices were held, whichever is later, but each precinct shall have at least one (1) delegate. The apportionment shall be based on the precincts as they exist one hundred eighty (180) days before the August primary election in even-numbered years.

As many delegates in each precinct as each precinct is entitled to, according to the certificate authorized by the Chairperson of the County Committee or the Board of Election Commissioners, shall be elected at the August primary in even-numbered years by direct vote of the qualified and registered Democratic electors in the precinct.

#### **B. Precinct Delegate Election**

##### **1. Qualifications**

Any person, including a person holding a public office in this state or municipal subdivision thereof, may become a candidate for delegate to the County and/or District Conventions under the procedures and qualifications prescribed by state law.

## **2. Election to Office**

Election to delegate to the County and/or District Conventions, including write-ins, shall be conducted under the procedures prescribed by state law.

### **C. Duties**

All precinct delegates will be delegates to all County and/or District Conventions during their term of office. In their precinct, delegates shall register Democrats to vote, identify other Democrats and recruit new State Party members, take information on issues and candidates to voters, help turn out the vote on election day and keep Party leaders informed about the issues which concern voters.

### **D. Vacancies in Precinct**

No delegate elected to any District or County Convention shall give a proxy to represent them at such a Convention. All vacancies occurring in any delegation to any County or District Convention may be filled by a majority vote of the delegation for that Convention only. That delegation shall not be permitted to fill any vacancy which may occur in its number by any person not a qualified and registered elector, and resident of the ward, district, county, township or precinct, as the case may be, from which the absent delegate was chosen.

### **E. Precinct Committee**

Whenever appropriate the precinct delegates of each precinct or groups of precincts, may be organized into a Precinct Committee and elect a Chairperson and Vice-Chairperson of opposite sex from their numbers. The purpose of this Committee shall be to promote the interests of the Democratic Party within the precinct or groups of precincts.

## **ARTICLE 4: MICHIGAN DEMOCRATIC PARTY MEMBERSHIP**

### **A. Membership**

A member of the Michigan Democratic Party shall be any legal resident of Michigan age 16 or older who has completed and filed a current Michigan Democratic Party membership form at State Party headquarters, provided that a financial contribution shall not be required to be and to remain a member. County, District, Club, Precinct Committee and Caucus chairs who solicit memberships shall immediately forward completed membership forms to the Michigan Democratic Party.

### **B. Voting Privileges**

In order to vote at any Convention, Caucus or meeting of any unit of the Michigan Democratic Party at any level, a person must be a member of the Michigan Democratic Party for at least thirty (30) days prior to that Convention, Caucus or meeting. A Party member must be a qualified and registered elector in order to vote on nominations for public office.



Those persons, together with the persons most recently nominated by the Party for each of those offices, shall constitute the Executive Committee of the Party for that County. When a new nomination is made for an office, the nominee for which is entitled to serve as a member of the Executive Committee, the new nominee shall replace the former nominee as a member of the Executive Committee. If a vacancy occurs in the position of delegate-elected member of the Executive Committee, the remaining delegate-elected members shall fill the vacancy. Except as otherwise provided in this article, the Executive Committee may elect the officers it considers proper to carry out the purposes of the Committee, and may fill a vacancy in any of its offices.

**B. Certification, Notice to Selectee**

Immediately following the election of members of the Executive Committee, including the filling of vacancies, the Secretary of the County Committee shall certify the names and addresses of persons chosen to the County Clerk and to the Democratic State Central Committee.

**C. Selection of Officers, Proxy, Ensuing County Committee; Nominees as Delegates at Large**

Within thirty (30) days following the convening of the Fall County Convention, the Executive Committee acting without the officers of the County Committee who are not otherwise members of the Executive Committee shall meet. The notice of this meeting shall be sent to each member of the Executive Committee by mail, telegram, FAX or e-mail at least seven (7) days before the date of the meeting. At the meeting, the Executive Committee shall elect a temporary chairperson and temporary secretary. The temporary officers shall serve only during the election of the officers of the Executive Committee, who shall also serve as the officers of the County Committee for the two (2) years commencing on January 1 next. The officers shall be a Chairperson, a Vice-Chairperson of the opposite sex to the Chairperson, a Secretary and a Treasurer. Each officer shall have a vote on the Executive Committee. Candidates for legislative offices consisting of more than one (1) County may give a written proxy to any other member of the Executive Committee.

After the officers of the County Committee have taken office and within forty-five (45) days after January 1 of each odd-numbered year, the County Committee shall consist of those members as the Executive Committee may determine. The County Committee shall have the right to elect additional officers which in its judgment are proper to carry out the purposes of the County Committee, and shall have power to fill a vacancy which may occur in the membership of the County Committee or in any of its additional offices. Between meetings of the County Committee the Executive Committee shall have all the powers and perform all the duties of the County Committee, including the filling of vacancies in nominations as prescribed by law. The term of service of a County Committee shall continue for two (2) years or until the selection of its successor.

A person nominated as a candidate for County office shall be a delegate at large to the Fall County Convention held in the year of the candidate's nomination and to all County Conventions during the term of office for which the candidate was nominated. A person nominated as a candidate for legislative office shall be a delegate at large to the Fall County Convention held in the year of the candidate's nomination in each County or part of a County contained in the legislative district and to all County Conventions held during the term of office for which the candidate was nominated. The number of delegates at large shall be in addition to the number of delegates speci-

fied in the call for the Fall County Convention. If a person is elected both a delegate at large and a precinct delegate, a vacancy shall exist in the precinct and shall be filled as provided in Article 3.D.

**D. Expansion of Executive or County Committees**

The members of an Executive or County Committee may vote to expand the membership of the Committee. These rules encourage the expansion of the Committees for the purpose of achieving more participation and representation.

**E. County Comprising Single District Committee**

In a County comprising a single representative, senatorial or judicial district, the County Committee of such County shall constitute the representative, senatorial or judicial committee of the Party of such representative, senatorial or judicial district, as the case may be.

**F. County Comprising More Than One District Committee**

In a County comprising more than one (1) representative or senatorial district, the members of the County Committee residing in each such representative or senatorial district of such County shall constitute a committee for each representative or senatorial district, as the case may be, and the committee shall elect its Chairperson and other officers. The Chairperson shall have the right to vote on all questions arising in the committee.

**ARTICLE 6: CONGRESSIONAL DISTRICT COMMITTEES**

**A. Executive Committee**

At the Spring Congressional District Convention in odd-numbered years for Congressional Districts, the majority of the electors of which reside in a County having a population over 1,500,000 and at a Caucus of each other Congressional District held at the Spring State Convention every odd-numbered year there shall be elected a Congressional District Chairperson, a Vice-Chairperson of the opposite sex of the Chairperson, a Secretary, a Treasurer and a committee of at least fifteen (15) members to serve for 2-year terms or until their successors are duly elected. Additional officers may be elected at the discretion of the Executive Committee. These persons shall constitute the Executive Committee of the Party for that Congressional District. The Executive Committee may fill a vacancy in any of its offices or membership.

Within thirty (30) days following the election of the Executive Committee, the Executive Committee shall meet to adopt or readopt bylaws and pass a resolution indicating its acceptance of these rules. A copy of the bylaws and resolution shall be promptly sent to the Chairperson of the State Central Committee who shall review them for compliance with these rules. If they are in compliance, the Chairperson shall issue a charter to the Executive Committee. A charter may be suspended or revoked by the Appeals Committee for non-compliance with these rules.

## **B. Ensuing Congressional District Committee**

Within thirty (30) days following the election of the Executive Committee, the Executive Committee shall meet to elect the District Committee. The officers of the Executive Committee shall serve as officers of the District Committee. The District Committee shall consist of those members as the Executive Committee may determine, including the filling of vacancies. Between meetings of the District Committee the Executive Committee shall have all the powers and perform all the duties of the District Committee, including the filling of vacancies in nominations as prescribed by law. The term of service of a District Committee shall continue for two (2) years or until the selection of its successor.

## **C. Expansion of Executive or District Committees**

The members of an Executive or District Committee may vote to expand the membership of the Committee. These rules encourage the expansion of the Committees for the purpose of achieving more participation and representation.

## **ARTICLE 7: DEMOCRATIC STATE CENTRAL COMMITTEE MEMBERSHIP**

The Democratic State Central Committee shall have general responsibility for the affairs of the Michigan Democratic Party between State Conventions, subject to these rules and to the resolutions or other actions of the State Convention.

### **A. Delegates**

1. Delegates to the Democratic State Central Committee shall be elected at the Congressional District Spring Conventions and Caucuses held every odd-numbered year and the DSCC shall be the ultimate decisionmaking body of the Michigan Democratic Party between State Conventions.

2. The State Central Committee shall consist of delegates elected from each Congressional District. Each District will be allowed a minimum of four (4) delegates: two (2) men and two (2) women. Additional delegates will be allocated to each Congressional District based on the percentage of votes from that District for the Democratic candidate for either President of the United States or Secretary of State at the last general election when such election for those offices were held, whichever is later. All additional seats shall be allocated as equally as possible between men and women. A reallocation of delegate strength shall follow each election and be completed prior to the odd-year Spring Convention.

### **B. Alternates**

1. At its odd-year Spring Convention or Caucus, each Congressional District shall elect the same number of alternates as delegates to the State Central Committee. Alternates temporarily replace delegates who are not present in person or by written proxy at a State Central Meeting. Alternates shall assume all the rights and perform all the duties and functions of the delegates of the State Central Committee while seated.

2. Each District will determine the manner as to which an alternate shall replace an absent delegate and report such method in writing to the DSCC Secretary within ten (10) days of the odd-year Spring Convention.

3. Before the first meeting of the State Central Committee following the election of the delegates and alternates, each District Secretary shall communicate to the Secretary of the State Central Committee, in writing, the names of each delegate and alternate. No member shall be seated until the Secretary of the State Central Committee has been notified of the election results. The addresses of those elected shall be forwarded by the District Secretary to the Secretary of the State Central Committee within ten (10) days of the odd-year Spring Convention.

#### **C. National Committee Members**

All National Committee Members for the State of Michigan shall be ex officio members of the State Central Committee with all voting and other rights accorded to the members thereof.

#### **D. Officers**

All officers of the State Central Committee shall be ex officio members of the State Central Committee with all voting and other rights accorded to the members thereof.

#### **E. Vacancies**

Any nominee to fill a vacancy in the position of State Central Committee delegate or alternate must be a qualified and registered elector and resident of the District where the vacancy occurs. The Executive Committee of the Congressional District shall fill such a vacancy by communicating to the Secretary of the State Central Committee, in writing, their selection. If the Executive Committee of the District does not fill this vacancy, the existing State Central Committee members from that District shall select a person of the same sex to fill this vacancy. In both cases priority shall be given to alternates to fill vacant delegate positions.

#### **F. Ex Officio Members**

District and County Chairpersons not elected delegates or alternates shall be ex officio members of the State Central Committee without vote.

#### **G. Proxy Voting**

Proxy voting by delegates, DNC Members and officers shall be permitted at State Central Committee meetings. A written proxy vote shall be given only to another delegate, alternate, DNC Member or officer of the State Central Committee. Proxy votes from District delegates shall be cast only in the District of the delegate who gave the proxy.

**ARTICLE 8: STATE CENTRAL COMMITTEE OFFICERS AND EXECUTIVE COMMITTEE**

**A. Officers and Executive Committee**

**1. *Election of Officers***

The Spring State Convention in each odd-numbered year shall elect a Chairperson and two (2) Vice-Chairpersons of the State Central Committee: one (1) each of the opposite sex and opposite race. The State Central Committee so constituted shall elect a Secretary, Corresponding Secretary, Treasurer and such other officers as in its judgment may be proper. The term of service of State Central Committee officers shall continue until the election of their successors.

**2. *Election of Democratic National Committee Members***

The State Central Committee, at its last meeting in each year in which there is a presidential election, shall elect the number of Democratic National Committee Members apportioned to Michigan by the Democratic National Committee according to their Bylaws, Article 2, Section 2(b). There shall be an equal division of Members between male and female unless the number apportioned to Michigan is odd, in which case the variance shall be no greater than one (1). The election shall be conducted in an open meeting after effective public notice of the agenda. For purposes of serving on the State Central Committee and Executive Committee, the terms of the Democratic National Committee Members shall continue until the election of their successors. For purposes of serving on the Democratic National Committee, their terms shall be as prescribed in the National Charter.

**3. *Executive Committee***

The officers, including all National Committee Members, of the State Central Committee, shall comprise the Executive Committee. A majority of the members of the Executive Committee shall constitute a quorum for transaction of the business by the Executive Committee.

The power of the Executive Committee shall be limited to dealing with questions of policy arising from time to time between the regular meetings of the State Central Committee. A summary of the minutes of all Executive Committee meetings shall be supplied to all members of the State Central Committee. When questions of serious importance may arise, a special meeting of the Executive Committee shall be called by the Chairperson. Meetings of the Executive Committee may be called on a 24-hour notice by letter, telegram, fax or e-mail. Executive Committee members may participate in a meeting by means of a conference telephone or similar equipment by means of which all Executive Committee members participating in the meeting can communicate with each other at the same time. Participation by such means shall constitute attendance at such a meeting. Proxy voting shall be permitted at Executive Committee meetings. A written proxy vote shall be given only to another Executive Committee member.

## **B. Duties of Officers**

1. The Chairperson shall preside at all meetings of the State Central Committee and of the Executive Committee. The Chairperson shall carry out the programs and policies of the State Conventions and the State Central Committee and shall have such other powers and duties as may be granted to them from time to time by express resolution of the State Conventions or State Central Committee or as are provided by statute.

2. The Vice-Chairperson of the opposite sex shall, in case of death, disability or absence of the Chairperson, preside at all meetings of the State Central Committee and of the Executive Committee. The Vice-Chairpersons shall have other powers and duties as may be granted from time to time by express resolution of the State Central Committee or as provided by statute.

3. The Secretary shall keep a record of the minutes of the proceedings of meetings of the State Central Committee and of the Executive Committee. They shall have custody of all books, records, and papers of the State Central Committee except such as shall be in charge of the Treasurer or of some other person authorized to have custody and possession thereof by resolution of the State Central Committee. All records shall be maintained at the office of the State Central Committee.

4. The Corresponding Secretary shall be responsible for all official correspondence of the State Central Committee (except where the laws of the State require certification by the Secretary) and shall assume the duties of Secretary in their absence. They shall also be responsible for maintaining and adding any newly adopted amendments to Party rules within ten (10) days after adoption.

5. The Treasurer shall keep accounts of all monies of the State Central Committee and Michigan Democratic Party, received and disbursed, and shall deposit all monies and valuables in the name of and to the credit of the State Central Committee and Michigan Democratic Party in such banks and depositories as the State Central Committee shall designate by appropriate resolution duly adopted.

6. The Treasurer shall provide a surety bond in the amount of not less than twenty-five thousand dollars (\$25,000), the cost of the bond to be borne by the State Central Committee. An audit by outside professional CPA shall be performed at the end of every 2-year term.

7. The Treasurer shall submit a financial report at all regular meetings of the State Central Committee.

8. The Chairperson and Treasurer shall present a 2-year budget to the State Central Committee for approval at a spring meeting in the odd-numbered year. Upon approval of the budget, all expenditures authorized by the budget shall be paid upon presentation of receipted bills, invoices, vouchers or other appropriate written instruments.

### **C. Vacancies**

When a vacancy occurs among the officers, including National Committee Members, of the State Central Committee, a meeting of the State Central Committee shall be called within forty-five (45) days after the vacancy arises by the State Central Committee Chairperson, or by the Vice-Chairpersons and an election held for the purpose of filling such vacancy.

### **D. Removal from Office**

1. Any officer of the State Central Committee may be removed from office by a two-thirds (2/3) vote of the total membership of the State Central Committee. This vote shall be taken at a meeting specifically called for such purpose

2. Any meeting for the purpose of removing an officer from office must be called by the Chairperson or Vice-Chairpersons of the State Central Committee, or by a notice signed by at least a majority of the members of the State Central Committee from any six (6) Congressional District delegations.

3. The notice of such a meeting must indicate the specific time and place of the meeting and the basis for the complaint upon which the action is founded; and the notice of such meeting shall be served by mail upon each of the members of the State Central Committee at least ten (10) days prior to such meeting.

4. At any meeting of the State Central Committee for the purpose of removing an officer, when a motion is made for removal of any officer who is then presiding, said presiding officer shall immediately relinquish the chair. If there is no other regularly elected presiding officer present to preside, the members present may elect a temporary chairperson to preside. The temporary chairperson shall preside until consideration and disposition of the motion for removal is concluded. If the motion for removal carries by a two-thirds (2/3) vote of the total membership of the State Central Committee, the temporary chairperson shall continue to preside and immediately conduct an election of a successor for the officer. If the motion for removal does not carry, the temporary chairperson shall immediately relinquish the chair to the regular presiding officer.

5. Before any motion for removal of an officer can actually be made at a meeting, a good faith effort to resolve the conflict shall be made by the parties involved. This shall include a hearing before the Appeals Committee which shall be called by its Chairperson upon receipt for a request for such a hearing submitted by the Chairperson or Vice-Chairpersons of the State Central Committee or by a majority of the members of the State Central Committee from any six (6) Congressional District delegations. The officer involved must be given at least seven (7) days notice of such a hearing and an opportunity to answer any complaints lodged at the hearing. The Appeals Committee may recommend a course of action on the matter, but this shall not be binding on the members of the State Central Committee.

## **ARTICLE 9: STATE CENTRAL COMMITTEE MEETINGS**

**A.** Regular meetings of the State Central Committee shall be held not less than four (4) times each calendar year, and at least once in each quarter year. Meetings will be held at various locations throughout the entire State so that all Democrats will have a reasonable opportunity to attend or participate. The Chairperson shall call all regular or statutory meetings. In the event of their neglect, failure or refusal, the Vice-Chairpersons shall call such regular or statutory meetings.

**B.** Emergency or special meetings may be called by the Chairperson or the Executive Committee of the State Central Committee or by a notice signed by at least a majority of the members of the State Central Committee from any three (3) Congressional District delegations.

**C.** All meetings shall be held within the State of Michigan. Notice of the times and places of any regular meetings and of the time, place and purpose of any special meeting shall be sent by mail, telegram, fax or e-mail to each member of the State Central Committee at least five (5) days prior to such meeting; provided that in case of an emergency, any reasonable notice shall be sufficient.

**D.** Any action within the power of the State Central Committee may be taken at any regular meeting, but no matters shall be brought before a special meeting except those matters covered by the notice of the meeting.

**E.** A majority of the State Central Committee shall constitute a quorum for the transaction of business.

**F.** If the number of delegates, proxies and alternates from any Congressional District at any meeting of the State Central Committee does not equal the number of votes allocated to that delegation under Article 7.A-2, the remaining votes allowed that District delegation shall be divided equally among those delegates and alternates present from that District.

## **ARTICLE 10: STANDING COMMITTEES**

The Chairperson shall, within sixty (60) days of assuming office, by and with the consent and approval of the State Central Committee, appoint the following Standing Committees, together with such others as may be deemed advisable.

### **A. Formation**

Committee on Rules and Political Reform  
Committee on Policy and Resolutions  
Committee on Finance

### **B. Policy and Resolutions Committee**

Except for resolutions reported by standing or special committees, all resolutions shall be considered and reported by the Policy and Resolutions Committee before debate and action by the State Central Committee.

### **C. Meetings**

Standing Committees shall meet as necessary. No proxy voting shall be permitted. Standing Committee members may participate in a meeting by means of a conference telephone or similar equipment by means of which all Standing Committee members participating in the meeting can communicate with each other at the same time. Participation by such means shall constitute attendance at such a meeting.

## **ARTICLE 11: STATE CONVENTIONS**

The State Convention is a statewide unit of the Michigan Democratic Party and shall be the highest authority of the Michigan Democratic Party, subject to these rules.

The Michigan Democratic Party shall assemble in State Convention at a Fall State Convention in even-numbered years and at a Spring State Convention in odd-numbered years at the date, time and place, and for the purposes set out in the Call to Convention issued by the State Central Committee.

Delegates to the State Convention shall be all persons who meet the requirements of Article 4.C. All State Convention Delegates shall cast their share of the vote allocated to their County or District by the Convention Call using proportional voting as set forth in the Directive on Proportional Voting. A delegate must be a qualified and registered elector in order to vote on nominations for public office.

The State Convention shall adopt permanent rules governing the conduct of business at the beginning of each Convention. Until the adoption of those rules, the Convention and related activities shall be governed by the Call to Convention.

No fee or poll tax of any kind shall be required of any individual as a condition of voting at a State Convention, provided that the Call to Convention may require Congressional District and County organizations to help defray Convention costs.

At all State Conventions, Congressional Districts shall meet in caucus prior to any consideration by the Convention of nominations for office or adoption of resolutions or a platform.

At all State Conventions, seating of Congressional Districts shall rotate so that all Democrats will have a reasonable opportunity to be seated at the front of the State Convention.

## **ARTICLE 12: HART-KENNEDY HOUSE, INC.**

Hart-Kennedy House, Inc. shall be established as a statewide unit of the Michigan Democratic Party organized under 1982 PA 162 to take and hold title to real estate and personal property to be used as offices of the State Central Committee and to lease and sublease real and personal property for such purposes, and to operate or cause to be operated and maintain or cause to be maintained such real and personal property for the uses and purposes of the State Central Committee. In furtherance of or incidental to its purposes, the Corporation may exercise all powers conferred on nonprofit corporations and engage in all activities permitted to nonprofit corporations

by the laws of the State of Michigan.

The principal office of the Corporation shall be located in Ingham County, Michigan. The Corporation may have such other offices as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

The members of the Corporation shall be the members of the Michigan Democratic Party. The officers of the Corporation shall be the DNC Members and the officers of the State Central Committee. The board of directors of the Corporation shall be the delegates and alternates of the State Central Committee.

The property of Hart-Kennedy House, Inc. shall be reasonably available for use by all Michigan Democratic Party members, units, officeholders, and candidates.

### **ARTICLE 13: APPEALS COMMITTEE**

#### **A. Establishment**

To insure fairness and prevent injustice in the internal operations of Precinct, County, District and Statewide units of the Democratic Party of Michigan, an Appeals Committee is established.

#### **B. Composition**

1. The Appeals Committee shall consist of eleven (11) persons including a Chairperson and Vice-Chairperson, appointed by the Chairperson of the Democratic State Central Committee of Michigan with the approval of the Democratic State Central Committee. The persons so appointed shall be well recognized Democrats, provided that no County or District Chairperson or State officer shall be eligible for appointment.

2. Members of the Appeals Committee shall serve 3-year terms. The Chairperson and Vice-Chairperson shall be appointed from among its members and shall serve 2-year terms in those capacities concurrent with the term of the Chairperson of the Democratic State Central Committee. All vacancies shall be filled in the manner provided in the preceding paragraph of this section at the first State Central Committee meeting after the vacancy occurs.

3. The Chairperson of the Democratic State Central Committee shall be responsible for ensuring that all vacancies are filled and that newly appointed members of the Appeals Committee receive appropriate training as to their responsibilities.

4. Care shall be taken in making appointments to ensure that the Appeals Committee be balanced by gender, race and geography to be representative of the Michigan Democratic Party membership as a whole. The persons so appointed shall be well recognized Democrats, provided that no County or District Chairperson or State officer shall be eligible for appointment.

### **C. Jurisdiction**

1. The Appeals Committee shall have jurisdiction over matters of procedural fairness and observance of Party rules and regulations in the internal operations of the Democratic Party of Michigan as guided by the Political Reform Convention and resolutions of other Democratic State Conventions and the Democratic State Central Committee.

2. The Appeals Committee shall have no jurisdiction over matters of Party Policy or Hart-Kennedy House, Inc.

3. Decisions of the Appeals Committee shall be final and binding to the extent permitted by law on all matters within its jurisdiction.

### **D. Who May Appeal**

1. Any member or group of members of the Democratic Party or Democratic precinct delegates who feels personally aggrieved by the action or decision of the State Central Committee or any other Democratic Party unit may appeal by petition such action or decision to the Appeals Committee, provided such petition contains the signatures of at least five (5) persons.

2. Any readily identifiable group within the Democratic Party of Michigan, or any part thereof, which deems itself aggrieved by the action or decision of the State Central Committee or any other Democratic Party unit may appeal such action or decision to the Appeals Committee.

3. Any Democratic Party unit which deems itself aggrieved by the action or decision of the State Central Committee or any other Democratic Party unit to which it relates, may appeal such action or decision to the Appeals Committee.

### **E. Procedures**

1. All appeals shall be presented in writing within fifteen (15) days after the action or decision appealed from.

2. Upon receipt of an appeal, a copy shall be forwarded by the Appeals Committee to the Democratic Party unit to whom the appeal relates. That Democratic Party unit shall have fifteen (15) days within which to present its answer or response.

3. The Appeals Committee shall meet within thirty (30) days of receipt of an appeal to consider the appeal. A quorum for the meeting shall consist of a majority of members serving. Attendance may be in person or by means of a conference telephone or similar equipment by means of which all persons participating in the meeting can communicate with each other at the same time. Decisions of the Appeals Committee may be based either on a written record or on testimony at a public hearing. Any public hearing shall be held within fifteen (15) days of the initial meeting of the Appeals Committee on that appeal. Parties to the appeal will be given seventy-two (72) hours notice of

any meeting of the Appeals Committee and any public hearing, which notice shall be confirmed by certified mail.

4. Public hearings may be conducted by a panel of (3) three or more members of the Appeals Committee.

5. Decisions of the Appeals Committee shall be made within fifteen (15) days of the public hearing, if a public hearing is held. If no public hearing is held decisions of the Appeals Committee shall be made within fifteen (15) days of the initial meeting of the Appeals Committee on that appeal. Decisions shall be made at a public meeting of the Appeals Committee where a quorum is present in person or by means of a conference telephone or similar equipment by means of which all persons participating in the meeting can communicate with each other at the same time. Decisions shall be made by a majority of those voting at that meeting. Decisions shall then be issued in writing giving the reasons therefore in reasonable detail.

6. The Chairperson of the Appeals Committee may make procedural rulings, which rulings may only be reversed by a majority of those present and voting at the meeting. The rules governing any hearing shall be set out at the initial meeting of the Appeals Committee for that appeal. These rules shall be consistent for all appeals. Counsel to the Michigan Democratic Party shall serve as counsel to the Appeals Committee.

7. In the case of appeals on the procedure used to elect any delegate or alternate or group of delegates or alternates to the State Central Committee, the Appeals Committee shall be notified of such appeal no later than noon of the day of plenary session of the Spring Convention, if the grounds for such an appeal are known by that time. The Appeals Committee shall hear any such appeal and report its recommendation with regard to the permanent or temporary seating of any such delegate or alternate or groups of delegates or alternates as the first order of business of the State Central Committee meeting following the Spring Convention.

## **F. Dismissals**

Notwithstanding the provisions in the previous section, the Appeals Committee shall have the right to dismiss an appeal setting forth its reasons in writing where it concludes from the appeal itself:

1. A question presented by the appeal is insignificant or frivolous.
2. The subject matter of the appeal is not within the jurisdiction of the Appeals Committee.
3. The jurisdiction of the Appeals Committee has not been properly invoked.

## **G. Reports**

The Appeals Committee shall report on its activities at each regular meeting of the Democratic State Central Committee. Such report or a synopsis thereof shall be regularly published in the Michigan Democratic Party newsletter.

## **H. Staff**

The Appeals Committee shall have the right to call upon the staff of the Democratic State Central Committee for such assistance as it may reasonably require to perform its work.

## **ARTICLE 14: DISSOLUTION**

Upon dissolution of the Michigan Democratic Party, all assets remaining after the satisfaction of all debts shall be distributed to the Democratic National Committee.

## **ARTICLE 15: AMENDMENTS**

**A.** Proposals for changes or amendments to these rules may be made by motion, without debate, at any meeting of the Democratic State Central Committee, and all proposed amendments shall be first referred to the Rules and Political Reform Committee which shall report its recommendation at the next succeeding regular meeting or special meeting called for that purpose.

**B.** Any amendment to these rules shall be by two-thirds (2/3) majority of the votes cast by the Democratic State Central Committee provided that written notice setting forth the proposed amendment has been given to members at least two (2) weeks prior to the date of the meeting at which a vote is to be taken.

## **ARTICLE 16: PRIORITY OF THESE RULES**

These rules, having been adopted as amended by the Democratic State Central Committee on May 14, 2011 shall supersede all previous rules and bylaws adopted by the State Central Committee.

## STATE PARTY DIRECTIVE ON PROPORTIONAL VOTING

**I.** Our Convention Calls require that the proportional voting system (by county in multi-county districts 1-8, 10-12 and 15; by districts in districts 9, 13 and 14) shall be used in Conventions and Caucuses, and on the floor of the State Convention.

### **A. Multi-County Districts (1-8, 10-12 and 15)**

Each county's "State Allocation of Delegate Vote" will be equally divided by the number of persons from that county. If Y county had an SADV of 60, and there were 20 persons present on the floor from that county and they voted 15-5 on a certain resolution, the State Allocated Delegate Vote would be 45-15. If 120 persons had been present and the vote was 100-20, the SADV would be 50-10. There are two ways to compute this:

1. Divide the number of persons present into the SADV which gives you the SADV vote per person (20 into 60 give 3 SADV votes per person).
2. Take the vote of the people present, figure the percentages to the SADV for that county (a 15-5 vote equals 75%-25%; 75% of 60 = 45, 25% of 60 = 15; SADV vote is 45-15).

### **B. Districts 9, 13 and 14**

Each district's "State Allocation of Delegate Vote" will be equally divided by the number of persons from that district. If Y district had an SADV of 60, and there were 20 persons present on the floor from that district and they voted 15-5 on a certain resolution, the State Allocated Delegate Vote would be 45-15. If 120 persons had been present and the vote was 100-20, the SADV would be 50-10. There are two ways to compute this:

1. Divide the number of persons present into the SADV which gives you the SADV vote per person (20 into 60 gives 3 SADV votes per person).
2. Take the vote of the people present, figure the percentages from that vote, and apply the percentages to the SADV for that district (a 15-5 vote equals 75%-25%; 75% of 60 = 45, 25% of 60 = 15; SADV vote is 45-15).

## **II. Proportional Voting Systems**

As provided by Michigan Democratic Party Rules (Article 2.A.8), proportional voting shall be used in the election of delegates and alternates to any County or Congressional District Convention, for the election of delegates and alternates of the Democratic State Central Committee, and for the election of members of any County or District Executive Committee.

Any of the following systems may be adopted by a Convention or Caucus in order to insure compliance with the Party's rules on Proportional Voting. (Lots shall be drawn to break any ties)

#### **A. Cumulative Voting**

All candidates appear in alphabetical order. Each voter has as many votes as there are positions to be filled. The voter can distribute his/her vote(s) in any manner, for example all votes for one candidate or one per position to be filled, or anything in between. Those elected are those with the highest vote total, counting down to the number of positions to be filled.

#### **B. List or Slate Voting**

When slate voting is used, the rules should describe a nominating process that groups the positions to be filled by title and gender. It is permissible for such groupings to create single member offices so long as equal division of gender is maintained.

Under this system a list or slate may be submitted by any person or group. Each slate has an identifying name or symbol. The number of names on a slate may be as few as one person or any number up to the number to be selected. Each voter has one vote, which is cast for a particular slate. The results are tabulated and the percentages set. The number of those elected from each slate is based on the formula  $N > 1 / (x+1)$ , when N equals the vote required to elect one person and x equals the number of positions. If there are any unfilled positions, the largest unused percentage shall receive the first unfilled position, the second highest unused percentage shall receive the second position, and so on.

The persons selected are determined by the order in which their names are listed on the slate beginning with the top and moving down until the total number of positions which the slate is entitled to has been filled.

#### **C. At-Large Preferential**

All candidates are listed on the ballot. The voter ranks the candidates in order of preference as far as he/she wishes to. Points are assigned to each rank order depending upon the number of positions to be filled, for example, if there are five positions to be filled, a person receiving a number 1 ranking would receive 5 points, and so on. The number of candidates equal to the number of positions to be elected that receive the highest number of points are elected.

### **III. Geographical Distribution System**

A system of geographical distribution may be adopted. Under this system, the positions to be elected are allocated to pre-existing political or election subdivisions. This must be done on a one Democrat-one vote basis. If this system is adopted and there is more than one person elected from any of these subdivisions, a proportionate voting system (See II., above) must be used.

#### IV. Instant Runoff Voting

In an election for a single member office, this system may be used. Under this system, each voter has one (1) vote and voters rank their candidates in order of choice (1,2,3, and so on). Voters can rank as few or as many candidates as they desire. If no candidate gets more than 50 percent of the first-choice votes, the one with the lowest first choice percentage is removed and all the ballots are counted again with the removed candidate's votes redistributed to their voters' next choice candidates, as indicated on the ballot. The process repeats until one candidate has the support of a simple majority of the votes cast

#### V. Slate Voting Procedures

- \* Any delegate or seated alternate can submit a slate.
- \* Each slate will have an identifying name or symbol.
- \* Candidates not appearing on a submitted slate are considered a slate of one.
- \* Each delegate or seated alternate has one vote to cast for a particular slate.

Step 1: The permanent caucus chair will read the names of approved candidates into nomination.

Step 2: Caucus participants submit slates.

Step 3: The slates are read and votes cast.

Step 4: The results are tabulated and the percentage each slate received is determined:

# of votes cast for the slate/total votes cast

Step 5: The percentage required to elect one person is determined.

Percentage to elect one person >  $\frac{1}{(\# \text{ of positions}) + 1}$

Step 6: Comparing the percentage necessary to elect one position with the total percentage received by a slate will determine the allocation of positions. Any unfilled positions are allocated to the largest unused percentages.

The persons selected are determined by the order in which their names are listed on the slate.

**Example:**

**5 positions to be elected**

Slate A:	Slate B:	Slate C:
Irene	Jill	Carol
Dick	Richard	Douglas
Cheryl	Andrew	Timothy
Brian	Elizabeth	Janet
Leonard	Mary Jane	Jessica
10 Votes	15 Votes	25 Votes
20%	30%	50%

$$\% \text{ to be elect on position} > \frac{1}{5 + 1} = .1666$$

**Allocating Positions**

$\begin{array}{r} .20 \\ - .1667 (1) \\ \hline .0333 \end{array}$	$\begin{array}{r} .30 \\ - .1667 (1) \\ \hline .1333 \end{array}$	$\begin{array}{r} .50 \\ - .1667 (1) \\ \hline .3333 \\ - .1667 (2) \\ \hline .1666 (3) \end{array}$
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**OR**

$$\# \text{ of positions awarded} + \frac{\text{Slate Percentage}}{\% \text{ needed to elected one delegate}}$$

$\frac{.20}{.1667} = 1.1998$	$\frac{.30}{.1667} = 1.7996$	$\frac{.50}{.1667} = 2.9994$
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**The candidates elected are:**

Slate A:	Slate B:	Slate C:
Irene	Jill	Carol
		Douglas
		Timothy

## **STATE CENTRAL COMMITTEE RESOLUTION ON CHARTERING OF LOCAL DEMOCRATIC CLUBS AND OTHER ORGANIZATIONS**

### **I. Introduction**

Local Democratic Clubs are a well-established and valuable institution in Michigan with many clubs dating to the 1950's or earlier. These clubs are an important part of their communities and perform a wide variety of valuable fraternal, civic, charitable, service, and political functions in their local communities by supporting, among other things, environmental protection; efforts to end homelessness; women's organizations; minority organizations; senior citizen's organizations; ethnic organizations; and so forth.

Similarly, there are many statewide Democratic organizations established as caucuses or committees which are well-established and perform a wide variety of valuable fraternal, civic, charitable, service and political functions.

The State Central Committee of the Michigan Democratic Party strongly desires to encourage the growth of local clubs and statewide caucuses and committees, and to support and encourage their fraternal, civic, charitable, service, and political work, by granting charters to those local Democratic clubs and statewide caucuses and committees, which agree to meet certain criteria and to apply for a charter. The following procedure is therefore established to issue charters to local Democratic clubs, statewide caucuses or committees.

Once a club, statewide caucus or committee has complied with the following procedure, the Chair of the Michigan Democratic Party or his/her designee may issue a charter to a local Democratic club, statewide caucus or committee.

### **II. Procedure**

In order to qualify as a chartered club or statewide caucus or committee, a club or statewide caucus or committee must:

- A.** Submit a written application.
- B.** Adopt and submit with the application a written set of bylaws containing the following provisions:
  - 1. Promotion of the ideals and principles of the Democratic Party, good government and democracy.
  - 2. Except for special purpose clubs, statewide caucuses or committees (e.g., a Women's Democratic Club, Senior Citizens Democratic Club, etc.) and only for that purpose, be open for membership to all qualified members of the Democratic Party regardless of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance, or disability.
  - 3. Provide for non-profit operation and that all assets and real and personal property of the club, statewide caucus or committee revert to the benefit of the parent organization if the club, statewide caucus or committee dissolves.

4. Provide that no part of the income or assets of the club, statewide caucus or committee shall inure to any of its members except for reimbursement of actual expenses and reasonable compensation for services if the club, statewide caucus or committee so approves.
  5. Prohibit the unit rule.
  6. Prohibit secret ballots.
- C.** Provide an updated set of bylaws if they are amended and annually provide the name and address of the club President of the club, statewide caucus or committee.
- D.** Provide a written recommendation from the applicable County Democratic committee (in Wayne County, from the applicable Congressional District Democratic Committee) endorsing charter status for the club. This provision does not apply to statewide caucuses or committees.
- E.** Agree to engage in fraternal, civic, charitable, service, or political activities in its local community.
- F.** Agree to acknowledge, and abide by, the charter issued by the Michigan Democratic Party.
- G.** Agree to the following:
1. Except for special purpose clubs, statewide caucuses or committees and only for that purpose, all meetings of the club, statewide caucus or committee shall be open to all qualified members of the Democratic Party regardless of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.
  2. Except for special purpose clubs, statewide caucuses or committees and only for that purpose, no tests for membership in, nor any oaths of loyalty to the club, statewide caucus or committee shall be required or used which have the effect of requiring prospective or current members of the club, statewide caucus or committee to acquiesce in, condone or support discrimination on the grounds of race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.
  3. The time and place for all meetings of the club, statewide caucus or committee shall be publicized fully and in such a manner as to assure timely notice to all members. Such meetings must be held in places accessible to all club, statewide caucus or committee members and large enough to accommodate all club, statewide caucus or committee members
  4. Except for special purpose clubs, statewide caucuses or committees and only for that purpose, the club, statewide caucus or committee shall support the broadest possible participation without discrimination on grounds of actual or perceived race, color, creed, physical disability, sex, age, national origin, economic status,

religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

5. The club, statewide caucus or committee shall publicize fully and in such manner as to assure notice to all club, statewide caucus or committee members a full description of the legal and practical procedures for selection of club, statewide caucus or committee officers. Publication of these procedures shall be done in such fashion that all prospective and current members of each club, statewide caucus or committee will be fully and adequately informed of the pertinent procedure in time to participate in each selection procedure.
6. The club, statewide caucus or committee shall publicize fully and in such manner as to assure notice to all club, statewide caucus or committee members a complete description of the qualifications for all officers of the club, statewide caucus or committee. Such publication shall be done in timely fashion so that all prospective candidates or applicants for any elected position within each club, statewide caucus or committee will have full and adequate opportunity to compete for office.

### **III. Revocation**

A club, statewide caucus or committee which fails to adhere to these conditions shall have its charter status revoked by the Chair or his/her designee and shall be ineligible for charter status until the conditions are met. Before a club's charter is revoked, the applicable County Democratic Committee (in Wayne County, the applicable Congressional District Democratic Committee) must revoke its written recommendation endorsing charter club status by providing in writing to the Chair the reasons why charter club status should be revoked.

### **IV. Charter Club, Caucus or Committee Not an Agent of the Michigan Democratic Party**

Notwithstanding charter club, statewide caucus or committee status, a club, statewide caucus or committee shall not be an agent or affiliate of the Michigan Democratic Party for any purpose whatsoever, nor shall a club, statewide caucus or committee have the authority to act on behalf of or bind the Michigan Democratic Party financially, contractually or otherwise. All charters