

# **RULES OF THE DEMOCRATIC PARTY OF THE STATE OF NEW MEXICO**

**AMENDED FEBRUARY 03, 2023**

## **2021/2023 DPNM RULES COMMITTEE**

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# **RULES OF THE DEMOCRATIC PARTY OF THE STATE OF NEW MEXICO**

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## **PREAMBLE**

The name of the Democratic Party organization shall be the Democratic Party of New Mexico, hereafter abbreviated "DPNM." The name of the Democratic Party organization of each county of the State of New Mexico shall be the "Democratic Party of *County*" with the appropriate county name inserted. The official seal of the DPNM shall be the traditional eagle holding an olive branch and arrow, and the words "THE DEMOCRATIC PARTY" along the outside of the seal in the upper portion, and the words "STATE OF NEW MEXICO" along the outside of the seal in the lower portion. All NEW MEXICO registered Democratic voters are members of the DPNM.

In order to vote in a ward or precinct meeting, party convention or central committee meeting, or to be an officer at any level of the party structure, or to be a delegate to any party convention, or to be a member of a central committee, a person shall have been a registered Democrat, as shown on the official list of registered voters of the county clerk, for at least thirty (30) days prior to said meetings or conventions; and shall physically reside in the political subdivision in which they wish to vote or hold office.

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# ARTICLE I – GENERAL PARTY INFORMATION

## Section 1 – Rules of Order

In all meetings and conventions, the current *Robert's Rules of Order, Revised* shall govern, except where the matter is covered by these Rules or by the respective supplemental county party rules.

## Section 2 – Proportional Representation

The policy of the DPNM is to preserve equitable minority representation at all levels of the convention and meeting processes, and to that end committees and delegations to conventions shall be selected, insofar as reasonably possible, to represent proportionally any vote.

Except as otherwise provided in these Rules or in rules governing a National Convention, there shall be no automatic delegates to any convention.

## Section 3 – Party Rules

### 3.1 – Scope

These Rules govern the organization and the conduct of business of the DPNM. Where a subject is covered by these Rules, they shall control at all levels of party organization and in all counties except where these Rules are in conflict with the Charter and Bylaws or other Rules of the Democratic Party of the United States.

Each county party organization may adopt such supplemental county party rules as it deems necessary. These supplemental county party rules shall not conflict with the DPNM Rules and shall not abridge the lawful political rights of any person.

### 3.2 – Filing of Rules and Amendments

Immediately upon adoption or amendment, these DPNM Rules and all amendments to these DPNM Rules shall be filed with the Office of the Secretary of State of New Mexico and with the respective County Clerks (per New Mexico statute).

Immediately upon adoption or amendment, supplemental county party rules described in Article I, Rule 3.1, and all amendments to such supplemental rules shall be filed with:

- the respective County Clerks
- the Office of the Secretary of State

per New Mexico statute, and shall also be filed with:

- the DPNM State Chair
- the DPNM State Rules Committee Chair

### **3.3 – Changes to Rules – Amendments and/or Corrections**

These Rules may be amended by a majority vote of all the elected delegates who vote on the amendment at a State Convention which has “Amendments to the Rules” as one of its purposes.

These rules may also be amended by a two-thirds (2/3) vote of all the members of the State Central Committee who vote on the amendment at a meeting that has “Amendments to the Rules” as one of its purposes.

The State Rules Committee may correct typographical errors or update reference to the current Election Code upon majority vote.

### **3.4 – Standards for Rules**

The following standards, previously adopted by the Democratic National Committee, are adopted as a part of these Rules.

For the purposes of these Rules, a person’s *status* is defined as their sex, race, age, color, creed, national origin, religion, economic status, sexual orientation, gender identity, ethnic identity, or disability.

#### **3.4.1 – Open Public Meetings**

All public meetings at all levels of the DPNM are open to all members of the DPNM regardless of their status, as defined in Article I, Rule 3.4.

#### **3.4.2 – Meetings of the DPNM at All Levels**

Meetings of the DPNM at all levels:

- shall be publicized fully and in such manner as to assure timely notice to all party members.
- shall be held in venues large enough, with provision for sufficient room as practicable, to accommodate all interested parties.
- may be conducted in-person or by virtual means via an online platform, at the discretion of the Chair or other authorized persons calling the meeting (Article I, Rule 7.2).

Any voting pursuant to any DPNM meeting may be conducted in-person or by absentee voting, at the discretion of the Chair or other authorized persons calling the meeting (Article I, Rule 5.6 and Article I, Rule 5.7).

##### **3.4.2.1 – Publishing Notice of DPNM Meetings and Elections at All Levels**

Procedures and notices for meetings and elections shall be publicized at least fourteen (14) days before any meeting or election to elect party officers, including delegates.



For election of party officers or representatives, including delegates, officers of the party organization shall publish notice of such meetings and elections in a newspaper of general circulation at least fourteen (14) days before the meeting.

- County party notifications shall be published by county party officers
- State party notifications shall be published by state party officers

The notice shall specify the purpose, time, date, and place for holding the meeting or election, shall provide contact information for the person(s) responsible for the meeting or election, and shall provide links to additional online information as needed.

See the current *Election Handbook of the State of New Mexico* for more information.

With the prior written approval of the state party Chair and the Executive Director, the state party organization may publish and cover the costs of the notice on behalf of the county party organizations.

County party chairs shall provide all the required information specified in this rule to DPNM staff in writing at least fourteen (14) days before the required newspaper publication date.

See [Article III, Section 1 – Notice of Party Actions](#) for information about additional notification options for county party organizations.

### **3.4.3 – Notice of Procedures and Meetings to Elect Any Party Officers, Including Delegates**

The DPNM at all levels shall fully publicize the legal and practical procedures for selection of representatives, and shall publicize notice of meetings to elect any party officers, including delegates.

Such publication of notice, as described in [Article I, Rule 3.4.2.1](#), shall be done in a manner that fully and adequately informs all prospective and current members of the DPNM of the pertinent procedures in time to participate in each selection procedure at all levels.

### **3.4.4 – Notice of Legal and Practical Qualifications for All Officers and Representatives**

The DPNM at all levels shall fully publicize a complete description of the legal and practical qualifications for all officers and representatives of the DPNM, in such a manner as to assure notice to all interested persons.

Such publication of notice, as described in [Article I, Rule 3.4.2.1](#), shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the state shall have full and adequate opportunity to compete for office.

### **3.4.5 – Inclusion Without Discrimination**

The DPNM shall be open to all New Mexican citizens who desire to support the party, who wish to be known as Democrats, and who register to vote as Democrats.

The DPNM, at all levels, shall support the broadest possible voter registration and participation in the DPNM, without discrimination on the basis of a person's status, as defined in Article I, Rule 3.4.

#### **3.4.5.1 – Discrimination Is Prohibited**

Requiring prospective or current members of the Democratic Party in any way to acquiesce in, condone, or support discrimination on the grounds of any person's status as defined in Article I, Rule 3.4 is prohibited.

Discrimination in the conduct of Democratic Party affairs on the basis of a person's status as defined in Article I, Rule 3.4 is prohibited.

Discrimination or harassment by any individual within the party structure, at any level, will be considered a violation of these Rules.

See Article II, Rule 6.1.3, for more information.

### **3.4.6 – Gender Equity and Equal Division by Gender**

Membership on the State Central Committee and on all state party committees, commissions, and like bodies shall be as equally divided as practicable between women and men (as determined by each member's gender self-identification).

Gender-diverse individuals shall be counted as members of the respective body, but not as a woman or as a man. The remainder of the body shall be equally divided between women and men. Gender alternation for the sake of equal division cannot exclude a gender-diverse person from being elected, should they receive the requisite number of votes.

#### **Definitions**

- A *“woman”* is a person who self-identifies as a woman.
- A *“man”* is a person who self-identifies as a man.
- A *“gender-diverse person”* is a person who self-identifies outside of traditional gender norms. This person may self-identify as transgender, gender non-conforming, gender non-binary, Two Spirit, gender fluid, gender queer, gender expressive, agender, gender-free, or other evolving identities.
- *“Equal division”* means that the variance between members in each group who self-identify as a woman or as a man cannot exceed one (1).

- “*Equity*” is an approach to creating the situation of parity. We seek numerical balance between women and men, and we seek the inclusion of gender-diverse persons.

In these DPNM Rules, personal pronouns shall be written as *she/he/they* and *her/him/them*. Possessive pronouns shall be written as *her/his/their*. Self-references shall be written as *herself/himself/themselves*.

## Section 4 – Filling Vacancies for Nominees for Public Office

### 4.1 – Vacancies Filled by State Central Committee

If a vacancy on the general election ballot occurs for a federal, state, district, or multi-county legislative district office, the nominee for the office shall be chosen by a vote of those State Central Committee members from the geographical area corresponding to the jurisdiction of the office that has been vacated. The State Chair, as presiding officer of the State Central Committee, shall file the name of the nominee selected for the office with the proper filing officer. (Election Handbook of the State of New Mexico.)

### 4.2 – Vacancies Filled by County Central Committee

If a vacancy on the general election ballot occurs for a magistrate, county, or a legislative district office where such district is entirely within the boundaries of a single county, the nominee for the office shall be chosen by a vote of those County Central Committee members from the geographical area corresponding to the jurisdiction of the office that has been vacated. The County Chair, as presiding officer of the County Central Committee, shall file the name of the nominee selected for the office with the proper filing officer. (See the *Election Handbook of the State of New Mexico*)

### 4.3 – Call for a Meeting to Fill a Vacancy

A meeting to fill a vacancy according to Article I, Rule 4.1 shall be called by the State Chair.

A meeting to fill a vacancy according to Article I, Rule 4.2 shall be called by the County Chair.

## Section 5 – Elections and Voting

### 5.1 – Majority Vote

Unless otherwise provided in these rules, all issues and elections shall be decided by majority vote.

If runoffs are required in an election, they shall be among those candidates with the greatest number of votes, the sum of which is the smallest majority of all the votes cast. (See Article I, Rule 5.6.5.1 for more information.)

## **5.2 – Tie Votes**

For any election required under these rules which results in a tie between two or more candidates, the winner shall be determined by lot.

## **5.3 – Prohibition of the Unit Rule**

Voting by the unit rule, whereby a delegate or committee member is required to cast a vote contrary to her/his/their expressed preference, is prohibited in all conventions and meetings.

## **5.4 – Secret Ballot**

A secret ballot, for issues and elections, shall be required only at ward and precinct meetings where the elector represents him/her/themselves only, and may be waived only by unanimous consent.

A non-secret ballot shall be required when the elector represents one or more other Democrats.

## **5.5 – Elections**

### **5.5.1 – Secret Elections (Ward and Precinct Meetings only)**

#### **5.5.1.1 – Only One Person to Be Elected to Office**

Each elector votes by secret ballot for only one candidate. In anticipation of run-offs, several differently colored ballots may be issued, a single color to be used for each round of voting.

Acclamation voting may be substituted by unanimous consent for secret ballot voting if, and only if, there is only one candidate running for a specific position.

#### **5.5.1.2 – More Than One Person to Be Elected to Office**

Voting shall be conducted according to Appendix A to these rules. Each elector votes by secret ballot for as many candidates as they wish, in ranked order of their preference.

Acclamation voting may be substituted, by unanimous consent, for Appendix A voting if, and only if, the number of candidates running for the identical positions is less than or equal to the numbers of positions to be filled.

### **5.5.2 – Non-Secret Elections (County and State Level Meetings and Conventions)**

#### **5.5.2.1 – Only One Person to Be Elected to Office**

Each elector votes by elector-identified ballot for only one candidate (Article I, Rule 5.1). In anticipation of runoffs, several differently colored ballots may be issued, a single color to be used for each round of voting. All ballots are individually inscribed in advance by the Party with an elector's name and the party subdivision she/he/they represents; for

example, the precinct, ward or county. The ballots, including the similarly inscribed ballots of electors voting by proxy, are issued at the time of registration for the meeting or convention.

Acclamation voting may be substituted, by unanimous consent, for elector-identified non-secret ballot voting if, and only if, there is only one candidate running for a specific position.

#### **5.5.2.2 – More Than One Person to Be Elected to Office**

Voting shall be conducted according to Appendix A including, if required by these Rules, conformance with the requirement of equal division of men and women. A non-secret ballot as described above may not be waived in favor of a secret ballot under any circumstances.

Acclamation voting may be substituted, by unanimous consent, for Appendix A voting if, and only if, the number of candidates running for the position is less than or equal to the number of positions to be filled.

#### **5.5.2.3 – Access for Viewing Non-Secret Ballots**

Such access is always permitted for purposes of vote recounts. For any other purpose, said access is discretionary by the County or State Chair and, if granted, can only be granted after the final completion of elections, rather than after an interim or elimination round; further, said discretion only applies to time, place, or any fees to be paid by requester to compensate the party for associated expenses.

### **5.6 – Optional Absentee Voting for Non-Secret Ballots**

The following state and county bodies may opt to conduct certain votes and elections using these absentee voting processes, if absentee voting is deemed advisable by those persons who are authorized in these Rules to call a meeting of the body:

- State Executive Committee
- State Central Committee
- State standing committees and Judicial Council
- DPNM State and County Caucuses and affiliated organizations
- County Executive Committees
- County Central Committees
- County standing committees
- Wards and precincts when electors are voting on non-secret ballots

The Chair or body that authorizes the absentee voting shall designate an administrator to manage the absentee voting process.

This rule provides an optional, alternate process for state and county bodies to conduct certain votes and elections. This rule does not mandate that any such bodies are required to conduct votes or elections by absentee ballot.

Within the context of this rule, “absentee voting” is defined as “taking action by written ballot outside of a meeting.” Absentee voting conducted within the context of this rule is by non-secret ballot. No secret ballots shall be conducted within the context of this rule.

At a minimum, the absentee voting procedures and technology used must provide the following features and safeguards:

- ballot security
- adequate notification to all electors
- adequate education for all electors
- access to the absentee voting process for all electors
- secure and replicable counting of ballots
- timely certification, reporting, and recording of the absentee voting results

#### **5.6.1 – Ballot Security**

The processes and technology used for absentee voting shall assure the following:

- Only eligible voters (qualified electors) are able to vote.
- No person can vote more than once.
- No proxy voting is allowed or accepted.
- Because this absentee voting is for non-secret ballots, each recorded ballot shall include uniquely identifying information for the person casting that ballot. Who voted, and who did not vote, is a public record, to be preserved for a minimum of ninety (90) days.
- An elector can change their own vote before it is cast.
- Once a ballot is cast, neither the elector nor anyone else, nor anything else, can change the vote on that ballot.
- Once a ballot is cast, a confirmation receipt of the ballot shall be returned to the elector. The confirmation receipt includes a record of the vote(s) on the ballot.

#### **5.6.2 – Adequate Notification to All Electors**

No less than 10 days before the voting period opens, the administrator shall send to all qualified electors a notification about the time period for voting (opening and closing dates and times). The primary notification method shall be by email. For those electors who do not have email access, notification shall be by telephone call, or postcard, or other means as necessary.

No less than 24 hours before the voting period closes, the administrator shall, to the best of their ability, make reasonable efforts to notify all qualified electors who have not yet voted that the voting period will be closing (and when).

### **5.6.3 – Adequate Education and Deliberation for All Electors**

No less than 20 days before the voting period opens, the administrator shall send to all electors information about the content of the upcoming absentee-voting procedure:

- List of candidates for election to positions, optionally to include candidate statements
- Proposed Rules amendments, including a copy of the old rule (if it exists) and the proposed amendment for comparison, and optionally including a statement from the Rules committee explaining the reasons for the proposed amendment
- Motions for Judicial Council action(s) or recommendations, including supplementary material deemed to be relevant by the Judicial Council in deliberating a rule interpretation, or a complaint of discrimination or harassment made under Article I, Rule 3.4.4.
- Appeal of a Judicial Council decision to the State Central Committee, including materials used in the original Judicial Council deliberations and materials submitted with the appeal of the Judicial Council's decision

#### **5.6.3.1 – Education and Deliberation on Amendments to Rules**

For proposed Rules amendments, the administrator shall schedule an online public comment and deliberation/debate period (minimum two weeks long) before the voting period. All electors shall be invited to participate in this online process. All comments, deliberations, and debates shall be made visibly or audibly available to all electors participating in this process.

The appropriate Rules Committee shall review all public comments, deliberations, and debate on proposed Rules amendments before the voting period opens. If specific motions for germane amendments to the original proposed rule amendment are made and seconded in the public comment, deliberations, and debate period, the administrator shall coordinate with the Rules Committee to establish an additional absentee ballot question to consider those amendments to the original proposal. The same Rules Committee shall determine whether an amendment is germane.

The administrator may optionally schedule online workshops to discuss proposed Rules amendments with electors (with telephone call-in capability for those electors who do not have internet access).

All electors shall be invited to participate in this online workshop. All workshop conversation shall be made visibly or audibly available to all electors participating in this process.

#### **5.6.3.2 – Education for Elections**

For elections of officers or committee members:

1. The administrator shall establish a period of time during which candidates may declare their own candidacy and/or may be nominated by another person.
2. The administrator shall provide a mechanism for all declared or nominated candidates to publish information about their candidacy for electors to review before the voting period opens.
3. The administrator shall provide an option on the ballots for write-in candidates.

The administrator may optionally schedule an online forum for candidates to discuss their candidacy (with telephone call-in capability for those who do not have internet access).

All candidates and electors shall be invited to participate in this online forum. All forum conversation shall be made visibly or audibly available to all candidates and electors participating in this process.

#### **5.6.3.3 – Education for Other Types of Votes**

For other types of votes, the administrator shall schedule an online deliberation/ debate period (minimum two weeks long) before the voting period opens.

All electors shall be invited to participate in this online process. All comments, deliberations, and debates shall be made visibly or audibly available to all electors participating in this process.

The appropriate Rules Committee shall review all public comments, deliberations, and debate on each ballot measure before the voting period opens. If specific motions for germane amendments to the original ballot measure are made and seconded in the public comment, deliberations, and debate period, the administrator shall coordinate with the Rules Committee to establish an additional absentee ballot question to consider those amendments to the original proposal. The same Rules Committee shall determine whether an amendment is germane.

#### **5.6.4 – Access to the Voting Process for All Electors**

The primary method for absentee voting shall incorporate electronic voting by way of a secure internet-based platform.

For those electors who do not have internet access, the secondary method for absentee voting shall be for the elector to convey their vote(s) to the administrator of the voting process by telephone conversation.

Electors may choose to vote by paper or FAXed ballot. The elector is solely responsible for contacting the administrator of the voting process before the voting period opens, in order



to request a paper or FAXed ballot. The elector is also solely responsible for returning their signed, voted ballot to the administrator before the voting period closes – by postal service, by FAX, or by other electronic transmission of an image of the voted ballot.

### **5.6.5 – Counting of Ballots**

The absentee voting process shall include a method to assure that every cast vote is counted and, if necessary, can be recounted.

The absentee voting process shall include a method to assure that the elector can discover if their vote has been changed (or miscounted) and can correct the problem without destroying the security of the voting process.

An absentee ballot question shall be declared to be approved (the vote is positive) if the number of qualified elector approvals equals or exceeds the number of votes that would be required to approve the question at a meeting at which the same total number of votes was cast.

In an absentee voting election where more than one person is to be elected to an office, the results of the election shall be electronically tabulated according to a process analogous to the process described in Appendix A (Article I, Rule 5.5.2.2).

In an absentee voting election where only one person is to be elected to an office, a candidate shall be declared elected if they receive a majority of all votes cast for that office (Article I, Rule 5.5.2.1). In an absentee voting election where one person is to be elected to an office, a runoff election is required if no single candidate receives a majority of votes.

#### **5.6.5.1 – Runoff Procedures for Absentee Voting**

To determine which candidates shall participate in the runoff election, the candidates shall be listed in order of votes received, from highest to lowest number of votes.

- If the sum of the votes received by the top two (2) candidates is greater than 50%, those two candidates shall participate in the runoff.
- If the sum of the votes received by the top two candidates is not greater than 50%, then the sum of the votes received by the top three (3) candidates shall be calculated. If that sum is greater than 50%, those three candidates shall participate in the runoff.
- If the sum of the votes received by the top three candidates is not greater than 50%, then the sum of the votes received by the top four (4) candidates shall be calculated. If that sum is greater than 50%, those four candidates shall participate in the runoff.
- And so on until a sum of votes greater than 50% is calculated.

#### **5.6.5.2 – Tie-Breaking Procedures for Absentee Voting**

In an absentee voting election where one person is to be elected to an office, and two or more candidates are tied for the top number of votes received, the tie shall be broken by

lot within 48 hours after the voting period closes. Each of the tied candidates, or their authorized representatives, shall appear in person at a mutually agreed upon location to conduct an administrator-supervised tie-breaking procedure.

#### **5.6.6 – Timely Certification, Reporting, and Recording of the Absentee Voting Results**

No later than seven (7) days after the voting closes, the complete results of the absentee voting shall be verified and certified by two people: the administrator and another person.

No later than three (3) days after the results of the absentee voting are certified, the administrator shall send the certified results to all qualified electors, to the executive body that oversees that body whose members participated in the vote, and to the appropriate Secretary.

Any changes adopted by an absentee-voting process shall be read into the minutes of the next meeting of the body whose members participated in that absentee-voting process.

#### **5.6.7 – Quorum for Absentee Voting Procedures**

For an absentee voting process to be valid and certifiable, the number of qualified electors participating in the voting process must equal or exceed the number of qualified electors required to establish quorum for that body and for the type of vote or election undertaken. For an absentee voting process conducted by the State Central Committee, the quorum of participating counties must also be met for quorum to be established (Article II, Rule 1.3).

If the number of votes received does not constitute a quorum two hours before the voting period closes, the administrator may extend the voting period by up to three (3) consecutive 48-hour periods, or until a quorum is reached, whichever occurs first. If a quorum is still not reached after three such extensions, the motion is withdrawn and no decision will have been made.

### **5.7 – Optional Absentee Voting for Secret Ballots in County, Ward, and Precinct Elections**

County Chairs, Ward Chairs, and Precinct Chairs may conduct certain votes and elections using these secret-ballot absentee voting processes, if absentee voting is deemed advisable by those persons who are authorized in these Rules to call a meeting of the county party, wards, and/or precincts. The Chair (or authorized persons) that authorizes the secret-ballot absentee voting shall designate an administrator to manage the absentee voting process.

This rule provides an optional, alternate process for county parties, wards, and precincts to conduct certain secret-ballot votes and elections by absentee voting. This rule does not mandate that any such bodies are required to conduct secret-ballot votes or elections by absentee voting.

Within the context of this rule, “absentee voting” is defined as “taking action by written ballot outside of a meeting.” Absentee voting conducted within the context of this rule is by secret ballot.

At a minimum, the secret-ballot absentee voting procedures and technology used must provide the following features and safeguards:

- ballot security
- ballot secrecy (elector remains anonymous)
- adequate notification to all electors
- adequate education for all electors
- access to the absentee voting process for all electors
- secure and replicable counting of ballots
- timely certification, reporting, and recording of the secret-ballot absentee voting results

#### **5.7.1 – Ballot Security for Secret Ballots in Absentee Voting**

The processes and technology used for secret-ballot absentee voting shall assure the following:

- Only eligible voters (qualified electors) are able to vote.
- No person can vote more than once.
- No proxy voting is allowed or accepted.
- For all ballots – whether electronic, paper, or called in by phone – each submitted ballot shall include uniquely identifying information (the elector’s secure Voter PIN or, in the case of paper ballots, the elector’s printed name and signature), which shall not be made public.
- An elector can change their own vote before it is cast.
- Once a ballot is cast, neither the elector nor anyone else, nor anything else, can change the vote on that ballot.

#### **5.7.2 – Ballot Secrecy**

For absentee voting by secret ballot, the election administrator shall implement systems to validate the submitted ballot while preserving the secrecy of the ballot.

1. For electronic secret voting by way of a secure internet-based platform, electors use a verifiable secret Voter PIN for validation.
2. For secret voting by telephone, electors use a verifiable secret Voter PIN for validation.

3. For paper-based secret voting, electors submit their voted ballots using a two-envelope system.
  - The ballot is sealed in an unmarked inner envelope.
  - The inner envelope is sealed in an outer envelope on which the elector prints and signs their name, which is validated by the election administrator before the outer envelope is opened.

#### **5.7.3 – Adequate Notification to All Electors**

No less than 2 days before the voting period opens, the administrator shall send to all qualified electors a notification about the time period for voting (opening and closing dates and times). The primary notification method shall be by email. For those electors who do not have email access, notification shall be by telephone call, or postcard, or other means as necessary.

No less than 24 hours before the voting period closes, the administrator shall, to the best of their ability, make reasonable efforts to notify all qualified electors that the voting period will be closing (and when).

#### **5.7.4 – Adequate Education and Deliberation for All Electors**

No less than 2 days before the voting period opens, the administrator shall send to all electors information about the following:

- current candidates for election to positions, optionally to include candidate statements
- other ballot measures

##### **5.7.4.1 – Education for Elections**

This process for **Education for Elections** is the same as specified in Article I, Rule 5.6.3.2.

##### **5.7.4.2 – Education for Other Types of Votes**

This process for **Education for Other Types of Votes** is the same as specified in Article I, Rule 5.6.3.3.

#### **5.7.5 – Access to the Voting Process for All Electors**

Several methods for secret-ballot absentee voting are available.

1. The primary method for secret-ballot absentee voting shall incorporate electronic voting by way of a secure internet-based platform, using a secret Voter PIN for validation.
2. For those electors who do not have internet access, the secondary method for secret-ballot absentee voting shall be for the elector to convey their vote(s) anonymously to the administrator of the voting process by telephone conversation, using a secret Voter PIN for validation.

3. The election administrator may optionally choose to implement a paper-based secret ballot process (no secret Voter PIN required).

#### **5.7.5.1 – Paper-Based Secret Ballot Process**

The paper-based secret ballot process shall ensure that only one secret ballot is counted from each qualified elector, and that only those ballots submitted by qualified electors are counted. At the discretion of the election administrator, paper-based secret ballots may be submitted by mail, delivered to a designated location or person, and/or picked up by a designated person.

All paper-based secret ballots must be sent or delivered to the qualified electors before the voting period opens. The elector is solely responsible for returning their voted ballot in the signed outer envelope to the administrator before the voting period closes.

The election administration team may develop a process for tracking paper ballots sent and received.

Ballot security for paper-based secret ballots shall be ensured by the following process:

1. The voted secret ballot shall be sealed inside an inner envelope.
2. The inner envelope shall be sealed inside a second, outer envelope on which the elector prints and signs their full name.
3. The returned ballots shall be tracked by noting the elector name from each ballot outer envelope on a checklist of qualified electors before the outer envelopes are opened.
  - Duplicate returned ballots shall be set aside and not counted. (Only one ballot per qualified elector shall be counted.)
  - Ballots returned by unqualified electors shall be set aside and not counted.
  - Ballots returned without the complete and legible signature of a qualified elector shall be set aside and not counted (unless the ballot is “cured” at the discretion of the election administrator).
4. Ballot curing is a process for correcting any issues concerning the absence or legibility of a qualified elector signature on the outer envelope of a paper-based secret ballot, as described in Article I, Rule 5.7.5.1, item 3.
  - If the election administrator (or administration team) determines that a ballot is eligible for the curing process, the administrator(s) shall contact the voter by email, telephone, text message, or other means determined by the administrator(s) to be appropriate for the absentee voting process.
  - The outer envelope of a ballot eligible for the curing process shall not be opened until the curing process for that ballot is completed.

- The election administrator (or administration team) shall set a timeframe for curing ballots. All ballot curing must be completed before any state deadlines that pertain to the secret ballots.
- If a ballot is not eligible for the curing process, or if the elector fails to complete the process before the curing deadline, that ballot will not be counted.
- The inner envelopes shall be separated from the outer envelopes before the ballots are collected and counted.
- Ballots removed from the inner envelope shall be marked as “valid” by the election administrator before being counted. Only those ballots marked as “valid” shall be counted.

#### **5.7.6 – Counting of Ballots**

The absentee voting process for secret ballots shall include a method to assure that every valid cast vote is counted and, if necessary, can be recounted.

An absentee ballot question shall be declared to be approved (the vote is positive) if the number of qualified elector approvals equals or exceeds the number of votes that would be required to approve the question at an in-person meeting at which the same total number of votes was cast.

In an absentee-voting election where more than one person is to be elected to an office, the results of the election shall be electronically tabulated according to a process analogous to the process described in Appendix A (Article I, Rule 5.5.2.2).

In an absentee-voting election where only one person is to be elected to an office:

- A candidate shall be declared elected if they receive a majority of all votes cast for that office (Article I, Rule 5.5.2.1).
- A runoff election is required if no single candidate receives a majority of votes.

##### **5.7.6.1 – Runoff Procedures for Absentee Voting by Secret Ballot**

The process for conducting a runoff election in absentee voting by secret ballot is the same process defined in Article I, Rule 5.6.5.1.

##### **5.7.6.2 – Tie-Breaking Procedures for Absentee Voting by Secret Ballot**

In an absentee voting election where one person is to be elected to an office, and two candidates are tied for the top number of votes received, the tie shall be broken by lot within 48 hours after the voting period closes. Each of the tied candidates, or their authorized representatives, shall appear at a mutually agreed upon location (in-person or virtual) to conduct an administrator-supervised tie-breaking procedure.

In an absentee voting election where more than one person is to be elected to an office using Appendix A style voting, and two or more candidates are tied for the same position(s), the tie shall be broken by lot as described in Appendix A.1 and A.3.

#### **5.7.7 – Timely Certification, Reporting, and Recording of the Secret-Ballot Absentee Voting Results**

No later than five (5) days after the voting closes, the complete results of the absentee voting shall be verified and certified by two people: the administrator and another person.

No later than two (2) days after the results of the absentee voting are certified, the administrator shall send the certified results to all qualified electors, to the executive body that oversees that body whose members participated in the vote, and to the appropriate Secretary.

Any changes adopted by an absentee-voting secret-ballot process shall be read into the minutes of the next meeting of the body whose members participated in that absentee-voting process.

### **Section 6 – Quorum**

Unless otherwise specified in these rules, a quorum of a body, including written proxies when permitted, shall be 30% of a state body's membership, and 40% of a county body's membership.

Elected or appointed persons affected by reason of any challenge who are also members of the body that shall adjudicate the challenge shall not vote in any contest until those persons' credentials are approved. In such cases, for the purpose of quorum, the body adjudicating the challenge shall be deemed reduced in size by the number of positions being challenged.

Notwithstanding quorum being initially established and announced at any meeting, quorum must also continue to be met at levels specified elsewhere in these Rules when ANY action, other than adjournment, will be voted on by the respectively authorized memberships.

### **Section 7 – Conduct of Meetings**

#### **7.1 – Meetings Held In-Person**

State conventions and mandatory State Central Committee meetings shall be held in person, except as provided otherwise in these Rules.

In the event of extenuating circumstances, or at the discretion of the DPNM Chair, a State convention or a mandatory State Central Committee meeting may be conducted by virtual means via an online platform. The DPNM Chair, DPNM Vice Chair At Large, DPNM Secretary, and DPNM Treasurer shall reach a unanimous decision approving the alternative meeting method.

## **7.2 – Meetings Held Remotely**

Meetings of the following state and county bodies may be held remotely (by telephone, video conferencing, or other virtual means via an online platform) if deemed advisable by the respective chairs of these committees, or by those persons who are authorized in these Rules to call a meeting of the body:

- State Executive Committee
- State Central Committee
- State standing committees and Judicial Council
- County Executive Committees
- County parties
- County Central Committees
- County standing committees
- Wards and precincts

At a minimum, the telephone or video conferencing technology used must allow simultaneous aural communication among all participating members.



## **ARTICLE II – STATE PARTY ORGANIZATION**

### **Section 1 – State Central Committee**

#### **1.1 – Powers and Authority**

##### **1.1.1 – General**

The State Central Committee is the supreme governing body of the DPNM when regularly convened in the absence of a convention in session. It shall have general supervision and control of the political affairs of the party.

The term of the State Central Committee shall begin on April 1<sup>st</sup> of the year in which state party officers are elected (Article II, Rule 2.1) and shall end on March 31<sup>st</sup>, two years later. Members elected to fill a vacancy shall serve until the end of the current SCC term.

Members of the State Central Committee shall serve as automatic delegates to all State Conventions, in addition to those state delegates duly elected at the County Conventions, unless prohibited by the rules of the Democratic Party of the United States.

##### **1.1.2 – Financing of the DPNM**

The policy of the DPNM is that its business shall be financed primarily by contributions from each of its individual members as their means allow. The State Central Committee has the responsibility of fulfilling that policy.

The Budget & Finance Committee shall assist the State Central Committee in fulfilling the SCC's responsibility regarding financing of the DPNM. See Article II, Rule 7.4.

Through approval of the budget, the SCC shall have the authority to approve the appropriation of state party funds.

##### **1.1.3 – Assessments**

The State Central Committee shall have the authority to levy dues or assessments upon the various recognized party organizations (Article II, Rule 10.1) on an equitable basis proportional to the representation such organizations have on the State Central Committee.

#### **1.2 – Members of the State Central Committee**

The State Central Committee shall be composed of the following:

##### **1.2.1 – County Chairs and Vice Chairs**

The Chair and First Vice-Chair of each county.

Also, if supplemental county party rules provide for a Second Vice-Chair (Article III, Rule 4.1(c)), and if the county has at least five (5) allocated State Central Committee members,

supplemental county party rules may also provide for the Second Vice-Chair to automatically receive one of the allocated SCC positions.

### **1.2.2 – Additional SCC Members**

If the average of the number of votes in a county for the nominees for Governor and President in the most recent election for each office exceeds 2500, then additional members shall be added to the State Central Committee for that county.

#### **1.2.2.1 – Calculation of State Central Committee Membership**

The total number of members of the State Central Committee including the Chair and Vice-Chair is calculated as follows:

1. Divide the average of the number of votes in each county for the nominees for Governor and President in the most recent election for each office by 1000
2. If the decimal portion is greater than or equal to .50, then round the result up to the next largest whole number – this result is the total number of members.
3. Since the whole number obtained includes the Chair and Vice-Chair, subtract 2 from it to obtain the additional members to be elected to the State Central Committee.

The DPNM Staff's re-calculation of SCC member allocations must be completed in each odd-numbered year before the first day of the New Mexico Legislative session.

The DPNM Staff shall inform all County Chairs in writing of their respective county's SCC member allocations by that date.

#### **1.2.2.2 – SCC Elections for Counties with only one Congressional District**

For a county totally contained within one Congressional District, additional SCC members shall be elected by the County Central Committee according to Article I, Rule 5.5.2.2.

There shall be equal numbers of men and women (within a variance of not more than one) among the members of the State Central Committee from the county.

The voting procedures of Appendix A relating to equal division of men and women apply.

#### **1.2.2.3 – SCC Elections for Counties with more than one Congressional District**

For a county that has been apportioned into multiple Congressional Districts, the total number of State Central Committee members calculated in Article II, Rule 1.2.2.1 shall be allocated to each Congressional District based on that district's percentage contribution to the average of the number of votes in the county for the nominees for Governor and President in the most recent elections.

After adding up the whole member numbers calculated for each district:

- If the county is entitled to one more member, then the district with the largest fractional part of a member shall receive an additional member.
- If the county is entitled to two more members, then the two districts with the larger fractional parts shall each receive an additional member; etc.

Before electing the additional members to each district, the Chair and the Vice Chair shall be subtracted from the additional members required for the district in which they each reside.

The County Central Committee within each district shall nominate and elect their own additional State Central Committee members according to Article I, Rule 5.5.2.2.

There shall be equal numbers of men and women (within a variance of not more than one) among the members of the State Central Committee from each district within the county.

The voting procedures of Appendix A relating to equal division of men and women apply.

### **1.2.3 – SCC Members Appointed by the State Chair as Necessary**

Such other members appointed by the State Chair only as necessary to allow unrepresented Congressional Districts within a county to have one State Central Committee member, and then to achieve equal numbers of men and women, within a variance of not more than one, immediately following the initial election of members of the State Central Committee by the respective County Central Committees.

### **1.2.4 – National Committee Persons and State Party Officers**

National Committeeman and Committeewoman, the State Chair, Vice-Chairs, Secretary, and Treasurer.

### **1.2.5 – SCC Members from New Mexico Democratic Legislative Caucuses**

Two members from each of the New Mexico Senate and House of Representatives who shall be selected by the Democratic caucus from each legislative body.

### **1.2.6 – Statewide Elected Democratic Officials**

All statewide elected Democratic officials and United States Representatives.

### **1.2.7 – SCC Members from Authorized DPNM Caucuses**

Such members of approved caucuses and affiliated organizations as may be provided for in accordance with Article II, Section 10 of these Rules.

### **1.2.8 – Native American SCC Members Representing Sovereign Tribal Communities**

Fourteen (14) State Central Committee positions shall be allocated to represent the sovereign tribal communities within New Mexico’s three Congressional Districts. These Native American SCC members shall be registered as Democrats in New Mexico, shall be members in good standing of the Native American Democratic Caucus of New Mexico (NADCNM), and must adhere to the NADCNM Bylaws and the DPNM Rules.

These Native American SCC members shall be democratically elected for SCC membership by the NADCNM Selection Committee using non-secret single-line ballots (Article I, Rule 5.5.2.1 and Rule 5.6).

In these Rules, the term “Native American SCC member” shall mean “State Central Committee member representing sovereign tribal communities.”

#### **1.2.8.1 – Allocation of Native American SCC Members by Congressional District**

Sovereign tribal communities in Congressional District One (CD-1) shall be represented by two (2) at-large Native American SCC members. For the purposes of these Rules, CD-1 encompasses the following communities:

- Mescalero Apache Nation
- Sandia Pueblo

Sovereign tribal communities in Congressional District Two (CD-2) shall be represented by four (4) at-large Native American SCC members. For the purposes of these Rules, CD-2 encompasses the following communities:

- Acoma Pueblo
- Fort Sill Apache Nation
- Isleta Pueblo
- Laguna Pueblo
- Zuni Pueblo

Sovereign tribal communities in Congressional District Three (CD-3) shall be represented by a total of eight (8) Native American SCC members. For the purposes of these Rules, CD-3 encompasses the following communities:

- Navajo Nation
- Cochiti Pueblo
- Jemez Pueblo
- Jicarilla Apache Nation
- Nambe Pueblo
- Ohkay Owingeh Pueblo
- Picuris Pueblo
- Pojoaque Pueblo

- San Felipe Pueblo
- San Ildefonso Pueblo
- Santa Ana Pueblo
- Santa Clara Pueblo
- Santo Domingo Pueblo
- Taos Pueblo
- Tesuque Pueblo
- Zia Pueblo

Enrolled Navajo Nation members who are residents of New Mexico shall be represented by four (4) at-large CD-3 Native American SCC members.

The remaining sovereign tribal communities in CD-3 shall be represented by four (4) at-large Native American SCC members.

#### **1.2.8.2 – Calculating the Allocation and Distribution of Native American SCC members**

Allocation and distribution of Native American SCC members shall be based on the most current Congressional District maps as approved by the New Mexico State Legislature.

- Each Congressional District, and the Navajo Nation as a separate group, shall be allocated a minimum of two (2) Native American SCC members.
- If the number of enrolled sovereign tribal community members for any Congressional District exceeds 10,000 (not counting the enrolled members of the Navajo Nation), then additional Native American SCC members shall be allocated for that CD.

In this case, the total number of Native American SCC members for the CD (not counting the Navajo Nation members) shall be allocated at a ratio of approximately one (1) SCC member per 5,000 enrolled sovereign tribal community members.

- Within the Congressional Districts, each set of sovereign tribal communities shall be represented by an even number of Native American SCC members, in order to comply with the requirements of Article I, Rule 3.4.6 – Gender Equity and Equal Division by Gender.
- When Congressional Districts are reconfigured following each decennial census, the list of sovereign tribal communities encompassed by each Congressional District shall be modified accordingly. The number of Native American SCC members allocated to each District shall then be recalculated as necessary, according to the parameters identified in this rule.

#### **1.2.8.3 – Nomination of Candidates for Native American SCC Membership**

Each government of a sovereign tribal community encompassed within a Congressional District may nominate one or more enrolled members of their community for the Native

American SCC positions within that Congressional District. The nominees shall be registered as Democrats in New Mexico.

Any registered Democrat in New Mexico who is also an enrolled member of a sovereign tribal community may nominate themselves for one of the Native American SCC positions allocated within the Congressional District encompassing that person's community (as detailed in Article II, Rule 1.2.8.1).

#### **1.2.8.4 – Election of Native American SCC Members from the Nominees**

By January 1 of the year in which the election of Native American SCC members will be held (usually in odd numbered years), the Chair of the NADCNM shall issue a statewide Call for nominations for those Native American SCC positions.

In accordance with NADCNM Bylaws, the Chair of the NADCNM shall convene a Selection Committee within the same time period as when county parties elect their SCC members. The Selection Committee shall be composed of the following members:

- at least eight (8) NADCNM members in good standing, including at least two members from each Congressional District
- at least one (1) DPNM representative (a state DPNM officer or their designee)
- at least one (1) county-party representative (the county party Chair or their designee) from a county containing a tribal sovereign community

The DPNM representatives and the county-party representatives do not need to be members of the NADCNM. The total number of Selection Committee members shall be an odd number not less than eleven (11).

The Selection Committee shall review all submitted nominations and shall elect the Native American SCC members from among the eligible nominees.

The Selection Committee shall democratically elect each Native American SCC member by a simple majority vote (Article I, Rule 5.1).

Within each Congressional District, the Native American SCC membership shall conform to the requirements of Article I, Rule 3.4.6.

- In CD-1, the two (2) Native American SCC members shall be elected in separate sequential elections using non-secret single-line ballots. To comply with gender-diversity requirements, the second elected Native American SCC member shall be of a different gender than that of the first elected SCC member.
- In CD-2, CD-3 (Navajo Nation), and CD-3 (other sovereign tribal communities), the four (4) Native American SCC members representing each of those constituencies shall be elected in separate sequential elections using non-secret single-line ballots. The following final combinations of four (4) Native American SCC members comply

with the “equal division by gender” requirements of the DPNM Rules ([Article I, Rule 3.4.7](#)).

Number of SCC Members by Gender			Total SCC Members	Variance between Male and Female
Male	Female	Gender-Diverse		
2	2	0	4	0
2	1	1	4	1
1	2	1	4	1
1	1	2	4	0
1	0	3	4	1
0	1	3	4	1
0	0	4	4	0

#### 1.2.8.5 – Vacancy in Native American SCC Delegation

A vacancy exists in the Native American SCC delegation when any of the following occurs:

- The SCC member loses their status as a member of good standing in the NADCNM.
- The SCC member ceases to be an enrolled member of a sovereign tribal community in the Congressional District they were elected to represent.
- The SCC member ceases to be registered as a Democrat in New Mexico.
- The SCC member resigns or dies.
- The SCC position was not initially filled at the scheduled election.
- The SCC member is removed in accordance with NADCNM Bylaws for any of the disqualifying reasons specified in DPNM Rules [Article III, Rule 4.5.1 – Reasons](#).

If a vacancy occurs in the Native American SCC delegation, the Chair of the NADCNM caucus shall issue a Call for nominations to fill the vacant position, in accordance with NADCNM Bylaws.

Within 60 days of the vacancy occurring, the Chair of the NADCNM caucus shall reconvene the Selection Committee to review the submitted nominations and to elect a new Native American SCC member from among the nominees, according to the requirements of [Article I, Rule 1.2.8.4](#).

### **1.3 – Meetings and Calls of the State Central Committee**

The State Central Committee shall meet at least twice each year.

- A mandatory spring SCC meeting shall be held between March 1<sup>st</sup> and May 15<sup>th</sup> inclusive.
- A mandatory fall SCC meeting shall be held between September 1<sup>st</sup> and November 15<sup>th</sup> inclusive.

Such meetings shall be upon the Call of the state party Chair or by a Call initiated by a petition from a quorum (25%) the committee membership and from a quorum (majority) of the counties (17).

The Call shall give a minimum of 30 days' notice to all Committee members. The Call shall be conveyed to each member either by USPS Mail or via electronic mail, as specified by each SCC member at the time of their election.

The Call shall specify the date, time, place (including registration and login information for virtual meetings), and purposes of the meeting.

Where party officers, including delegates, are to be elected, Article I, Rule 3.4.3 applies.

Quorum is defined as both committee quorum and county quorum. A committee quorum shall consist of twenty-five percent (25%) of the members of the Committee. In addition, a county quorum shall consist of at least one representative from a majority (17) of the counties.

The Chair shall have the authority to levy an assessment to defray the cost of the meeting. Such assessment shall be equal for all members.

### **1.4 – Business and Budget**

The State Central Committee shall transact business only at meetings conducted pursuant to a Call. At each of the two annual meetings, the Chair and the Treasurer shall present a financial report and proposed budget for the Committee's consideration.

### **1.5 – Voting**

Except as otherwise provided, proxy voting is permitted. A proxy shall be in writing, signed by the person giving the proxy and filed with the State Secretary. A proxy shall be valid only when voted by a registered Democrat of the same county as the person giving the proxy. Voting on issues and in elections shall be non-secret (Article I, Rule 5.5.2).



## Section 2 – State Officers

### 2.1 – Election of State Officers

The State Chair shall call a meeting, following the requirements of Article I, Rule 3.4.2, of the State Central Committee for the election, according to Article I, Rule 5.5.2.1, of state officers who in order of election and rank are:

- (a) Chair,
- (b) Vice-Chair At-Large, who shall be of a different gender than that of the Chair,
- (c) two (2) Vice-Chairs of different gender from each Congressional District, elected by the respective members of the State Central Committee from each Congressional District,
- (d) Secretary, and
- (e) Treasurer.

Each District Vice-Chair shall be elected separately by majority vote.

The State Chair shall set the date of the meeting by January 1 of the year in which the election is to be held (usually in odd numbered years) and notify the County Chairs of the dates that they may hold their County Central Committee Meetings, which must be not more than forty-five (45) nor less than twenty-one (21) days before the State Central Committee Meeting. State officers need not be members of the State Central Committee.

The election of all party officers shall be called for and conducted so as to be completed in the last ten (10) days of April in odd-numbered years. Officers shall serve for two years or until their successors are elected.

Members of the State Central Committee who serve by virtue of their offices shall cast votes for District Vice-Chairs in the Congressional District in which they reside.

### 2.2 – Chair – Powers and Duties

The State Chair shall:

#### 2.2.1

Be chief executive of the DPNM.

#### 2.2.2

Preside over all meetings of the State Central Committee, the State Executive Committee, and the State Platform and Resolutions Committee, and participate in the proceedings of all other committees including the making of motions and voting unless otherwise stated in these Rules. She/he/they shall not be counted in determining the quorum (Article I, Section 6) of any committee, nor count as one of the specified number of committee members.

**2.2.3**

Have general management of all party affairs and election campaigns.

**2.2.4**

Have the power to appoint any committees which the Chair deems necessary, or which the State Central Committee may authorize. Appointments made by the Chair will be subject to confirmation by majority vote of those members of the Executive Committee present at a meeting called for the purpose of confirming such appointments.

**2.2.5**

Refrain from using her/his/their office to advance the cause of any individual candidate including her/him/themself for office in the Democratic Primary Election.

**2.2.6**

Serve on the Democratic National Committee.

**2.2.7**

Have authority to levy an assessment equal for all State Central Committee members to defray the cost of meetings of the Committee.

**2.3 – Vice Chair At-Large – Powers and Duties**

The Vice-Chair At-Large shall:

**2.3.1**

Perform the duties of the State Chair in the Chair's absence.

**2.3.2**

Perform duties assigned by the State Chair.

**2.3.3**

Serve on the Democratic National Committee.

**2.3.4**

Preside at all meetings of the Judicial Council at which she/he/they may make motions and vote and be counted in determining the quorum (Article I, Section 6).

**2.3.5**

Refrain from using her/his/their office to advance the cause of any individual candidate including her/him/themself for office in the Democratic Primary Election.

**2.4 – District Vice Chairs – Powers and Duties**

The District Vice-Chairs shall:

**2.4.1**

Perform duties assigned by the State Chair.

**2.4.2**

Be members of the Judicial Council where they may make motions and vote and be counted in determining the quorum (Article I, Section 6).

**2.4.3**

Refrain from using their office to advance the cause of any individual candidate including themselves for office in the Democratic Primary Election.

**2.5 – Secretary – Powers and Duties**

The Secretary shall:

**2.5.1**

Record and preserve the minutes of all meetings of the State Central Committee.

**2.5.2**

Keep records of State Conventions and Executive Committee meetings and perform other duties that may be required by these bodies.

**2.5.3**

Promptly file amendments to DPNM Rules with the Secretary of State.

**2.5.4**

An Assistant Secretary may be appointed by the State Chair.

**2.6 – Treasurer – Powers and Duties**

The Treasurer shall have the authority and responsibility to perform the following functions:

- serve as Chair of the Budget & Finance Committee
- oversee financial compliance, accurate accounts, budget preparation, and monetary controls
- present financial reports
- appoint an Assistant Treasurer

**2.6.1 – Serve as B&FC Chair and Perform Required Duties**

The Treasurer shall serve as Chair of the Budget & Finance Committee, and shall perform such duties as may be required by the state party Chair and by law.

**2.6.2 – Oversee Financial Compliance**

The Treasurer shall oversee and approve the timely compliance with Federal and State of New Mexico financial reporting requirements. The preparation of the federal and state

reports is the responsibility of the Executive Director and Staff, and shall be reviewed and approved by the Treasurer.

The Treasurer shall supply or supervise training and on-going mentoring to New Mexico County Parties with regard to their timely and complete legally required State of New Mexico financial reports. In accordance with *DPNM Financial Policies & Procedures*, the Treasurer shall oversee and approve the following:

- timely compliance with monthly financial reporting,
- reconciliations to bank accounts,
- budget committee reports, and
- other financial reporting as requested by either the Budget & Finance Committee, the state party Chair, or the State Central Committee.

#### **2.6.3 – Oversee Accurate Accounts**

The Treasurer shall oversee and approve the keeping of full and accurate accounts of all receipts and expenditures, subject to the supervision and control of the state party Chair.

The Treasurer shall make such accounts available for examination by all registered New Mexico Democrats upon the request of five (5) members of the State Central Committee.

This financial information shall be made available through the preparation of normal financial statements (statement of financial position, statement of activity, and statement of functional expenses) in accordance with *DPNM Financial Policies & Procedures*.

#### **2.6.4 – Oversee Budget Preparation**

The Treasurer shall oversee and approve the preparation of a two (2) year budget as outlined in the *DPNM Financial Policies & Procedures*, with the advice and consent of the Budget & Finance Committee.

The Treasurer shall present the budget and the B&F Committee report to the State Central Committee for approval.

#### **2.6.5 – Present Financial Reports**

The Treasurer shall present a written financial report to the State Central Committee at each mandatory SCC Spring and Fall meeting, as outlined in the *DPNM Financial Policies & Procedures*. The report shall include the following:

- a Statement of Financial Position (balance sheet),
- a Statement of Activity (income statement), and
- a Statement of Functional Expenses, with comparisons to the prior reporting period and to the rolling budgets.

The Statement of Functional Expense shall clearly delineate between program expenses, fundraising expenses, and administrative expenses.

#### **2.6.6 – Oversee Monetary Controls**

The Treasurer shall oversee and approve monetary controls, including the safeguarding of all cash deposits, ensuring that monies are deposited in a FDIC insured Federal or State bank or credit union designated by the State Central Committee or the state party Chair.

The Treasurer shall also supervise the application of internal monetary controls as outlined in the *DPNM Financial Policies & Procedures*.

#### **2.6.7 – Appoint an Assistant Treasurer**

The Treasurer may appoint an Assistant Treasurer. The Assistant Treasurer may be among those otherwise elected or appointed to the B&F Committee as a voting member, or may be appointed from outside the Committee, in which case they shall be a non-voting member of the Committee.

The Treasurer may assign the Assistant Treasurer to carry specific responsibility for (but not limited to) these activities:

- scheduling Budget & Finance Committee meetings in coordination with DPNM staff.
- corresponding with B&F Committee members.
- causing minutes of said meetings to be completed and presented to the B&F Committee for adoption.
- cooperating with DPNM staff to complete required routine financial documents in accordance with *DPNM Financial Policies & Procedures*.

### **2.7 – Removal of State Officers**

#### **2.7.1 – Reasons**

A state officer may be removed from office for any of the following reasons:

##### **2.7.1.1**

Intentional conduct in violation of these Rules or the law.

##### **2.7.1.2**

Nonfeasance.

##### **2.7.1.3**

Aiding or supporting any political party other than the Democratic Party.

##### **2.7.1.4**

Aiding or supporting any candidate opposing a nominee of the Democratic Party.

**2.7.1.5**

Conviction of a felony.

**2.7.2 – Procedures**

A state officer shall be removed under the following procedures:

**2.7.2.1**

A written petition shall be filed by five (5) members of the State Central Committee by delivery of the original petition to the highest-ranking officer of the state party not named in the petition, with a copy to the officer named as violator in the petition.

**2.7.2.2**

The petition shall name the alleged violator and specify the conduct constituting the violation. It shall be signed by the petitioner and be delivered at least fifteen (15) days prior to any regularly scheduled State Central Committee meeting.

**2.7.2.3**

The officer receiving the original petition shall present the petition or a copy thereof to the State Central Committee at its next meeting.

If no State Central Committee meeting is scheduled, the officer shall call for one to be held within forty-five (45) days from the date of delivery of the original petition to the officer.

**2.7.2.4**

After a hearing, the State Central Committee shall vote to determine if a violation has occurred. For purposes of this vote a quorum shall be three-fourths (3/4) of the entire membership.

The State Central Committee shall decide by a two-thirds (2/3) non-secret vote of all members present.

No proxies shall be permitted in determining a quorum or in voting.

If the State Central Committee decides that a violation has occurred, the officer shall be considered removed.

**2.7.2.5**

Upon the removal of an officer, the office shall be declared vacant and filled in the manner as provided in Article II, Rule 2.9.

## **2.8 – Vacancies in State Offices**

A vacancy exists in a state office when a state officer:

### **2.8.1**

Is removed in accordance with Article II, Rule 2.7.

### **2.8.2**

Ceases to reside in New Mexico

### **2.8.3**

Resigns or dies

### **2.8.4**

Publicly announces candidacy for state-wide or national office or when the office in question had not been filled initially at the scheduled election.

## **2.9 – Filling of Vacancies in State Offices**

If a vacancy exists in the offices of Chair or Vice-Chair At-Large, the highest-ranking state officer shall call a meeting of the State Central Committee to fill the vacancy, which shall be filled only by election rather than by automatic succession.

In the case of a vacancy in the position of Chair, if the newly elected Chair is of a different gender than that of the outgoing Chair, the gender balance requirements of Article II, Rule 2.1 will be waived to allow both the newly elected Chair and the incumbent Vice-Chair At-Large to serve the remainder of the term.

If a vacancy exists in the office of District Vice-Chair, the Chair shall call a meeting of State Central Committee members only from the affected Congressional District.

If a vacancy exists in the offices of Treasurer or Secretary, the remaining state officers shall fill the vacancy.

All elections to fill a vacancy shall be for the unexpired term and shall be held within sixty (60) days of the occurrence of the vacancy.

## **Section 3 – State Executive Committee**

### **3.1 – Members**

The State Executive Committee shall be composed of all State Officers, all County Chairs, the two Democratic National Committee Persons, the President of the New Mexico Federation of Democratic Women, and the President of the Young Democrats of New Mexico.

In addition, those statewide elected Democratic officials who are members of the State Central Committee shall participate in the proceedings of the State Executive Committee including the

making of motions and voting. They shall not be counted in determining the quorum (Article I, Section 6) of the committee.

Membership on the Committee is not subject to the requirement of equal division of men and women (Article I, Rule 3.4.6).

### **3.2 – Officers of the State Executive Committee**

#### **3.2.1 – Chair**

The State Chair shall preside at all meetings of the committee but shall vote only in the case of a tie.

#### **3.2.2 – Secretary**

The State Secretary shall be the secretary of the committee.

### **3.3 – Powers and Authority**

The committee shall advise the State Chair as to all matters and responsibilities assigned to the Chair by these Rules and shall also perform such duties from time to time as are delegated to it by the State Central Committee.

The committee shall keep a record of its proceedings. The committee shall meet frequently and be active in the conduct of the business of the party.

At a meeting of the Executive Committee called for such purpose, the Committee will vote to confirm all committee appointments made by the State Chair.

### **3.4 – Meetings of the State Executive Committee**

The committee shall hold its meetings upon the Call of the State Chair or by a Call initiated by petition of a majority of the members. All voting shall be non-secret.

Meetings of the State Executive Committee may be conducted in-person or remotely, at the discretion of the State Chair or the members initiating the petition to call the meeting. (See Article I, Section 7.)

A quorum shall consist of twenty-five percent (25%) of the members of the Committee with the additional requirement of at least one representative from a majority of the counties. The Chair shall have the authority to levy an assessment equal for all members to defray the cost of any meeting.



## Section 4 – State Conventions

### 4.1 – Procedure

#### 4.1.1 – Call

The State Chair shall issue a Call for a State Convention in accordance with law and these Rules. The Call shall be mailed to each County Chair and to each member of the State Central Committee.

It shall be issued at least sixty (60) days prior to the date of the convention, and shall specify the time, place and general purposes of the convention. Publication of notice shall be according to Article I, Rule 3.4.2.1.

The Call may be amended only by a three-fourths (3/4) vote of the convention. The Chair shall have the authority to levy an assessment equal for all delegates to defray the cost of the meeting.

#### 4.1.2 – Scheduling

A Pre-Primary Election Nominating Convention shall be held at least sixty (60) days prior to the primary election.

A Post-Primary Election Convention shall be held in years when delegates to a National Convention are to be selected.

#### 4.1.3 – Delegates

##### 4.1.3.1 – Elected Delegates

A uniformly proportional number of delegates to be elected from each county shall be based on a formula giving equal weight to the county votes for Democratic candidates in the most recent gubernatorial and presidential elections.

##### 4.1.3.2 – Alternate Delegates

Alternate delegates are those who received votes in the county elections of delegates but who were not elected.

Alternate delegates in the respective counties are rank-ordered by the number of votes they received, the highest vote getter being ranked first in the order of substitution for delegates absent from the convention and who have not personally selected alternate delegates.

##### 4.1.3.3 – Automatic Delegates

Members of the State Central Committee shall serve as state-certified automatic delegates to all State Conventions, in addition to those state delegates elected at the County Conventions, unless prohibited by *The Charter & The Bylaws of the Democratic*

*Party of the United States.* Each county, if its supplemental county party rules so provide, may designate a certain number of county-certified delegates as automatic delegates by virtue of being elected to a public office or party position, as long as proportional representation (Article I, Section 2) is not materially violated.

- State-certified automatic delegates do not count against the allocation of delegates to the counties dictated by Article II, Rule 4.1.3.1.
- County-certified automatic delegates do count against the allocation of delegates to the counties dictated by Article II, Rule 4.1.3.1.

## **4.2 – Delegates and Alternate Delegates – Credentials and Challenges**

### **4.2.1 – Certification**

The County Chair and Secretary shall certify the names, home postal and e-mail addresses, and telephone numbers of the delegates and alternate delegates to a State Convention from their respective counties.

Certification shall be sent to the DPNM Secretary at least ten (10) days prior to the date of the convention and shall include the home postal and e-mail addresses and telephone number of the County Chair or other person who is to serve as chair of the delegation.

### **4.2.2 – Challenges**

Only a Democrat registered in the county may file a challenge to a county's delegates or alternate delegates.

Any challenge to the certified delegates and alternate delegates to a State Convention shall be made in writing and delivered to state headquarters or the DPNM Secretary at least seventy-two (72) hours prior to the convention. Challenges shall be referred to the Judicial Council.

A challenger shall also deliver a copy of the challenge to the County Chair of the affected county at least seventy-two (72) hours prior to the date of the convention.

The challenge shall specify the charges and identify by names and addresses the challengers and those challenged.

### **4.2.3 – Adjudication of Challenges**

If challenges have been filed, the Judicial Council shall convene no more than forty-eight (48) hours before the convention at a site designated by the State Chair with notice to all affected parties.

After a hearing, the Judicial Council shall report to the convention the names and addresses of delegates and alternate delegates who it judges are entitled to participate in the convention.

No challenged delegation may vote upon its own challenge when the convention considers the report of the Judicial Council. Each challenge, recommendation and minority report of the Judicial Council shall be considered separately.

All affected parties shall receive the results of adjudication no less than twelve (12) hours before the convention.

#### **4.2.4 – Credentials Committee**

The Judicial Council shall act as the credentials committee. The committee shall have the assistance of the State Chair in providing facilities and staff assistance for its business.

#### **4.2.5 – Finality of Decisions**

There can be no appeal of the decision of a state convention on a report of the Judicial Council.

### **4.3 – Order of Business**

The order of business shall be set by the Call and is suggested as follows:

1. Call to order by the State Chair.
2. Reading of the Call.
3. Report of the Judicial Council and convention vote thereon.
4. Introduction of temporary officers selected by the State Chair with the approval of the convention, and election of permanent officers of the convention.
5. Submission of written resolutions from the floor to the Chair.
6. Selection by the permanent chair of such eleven-member committee as deemed proper.
7. Reports of all committees and votes thereon.
8. Adoption of a platform if the state convention is a Pre-Primary Election Nominating Convention.
9. Selection of primary election nominees if the state convention is a Pre-Primary Election Nominating Convention.
10. Selection of delegates and alternate delegates to a national convention if the state convention is a Post-Primary Election Convention.
11. Nomination of Presidential Electors if the state convention is a Post-Primary Election Convention (*Election Handbook of the State of New Mexico* and Article II, Section 8 of these Rules).
12. Other business including consideration of resolutions from the floor.
13. Adjournment.

#### **4.4 – Roll Call**

In lieu of balloting, a roll call may be taken, except when balloting is expressly required by these Rules, whereby the electors vote individually by voice vote.

The roll call shall be taken of the counties in an order determined by lot for the first county and thereafter in alphabetical order of counties, and in numerical sequence of wards within each county.

A roll call may only be ordered by twenty percent (20%) or more of the electors present. A pass of the vote shall be allowed only once.

#### **4.5 – Delegates and Alternate Delegates – Credentials and Challenges**

##### **4.5.1 – Voting**

In the election of delegates and alternate delegates to a National Convention at the Post-Primary Election Convention, voting shall be non-secret and conducted according to Article I, Rule 5.5.2.2 and the Delegate Selection Plan submitted in accordance with Article II, Section 5.

Delegates and alternate delegates, as separate classes, to a National Convention shall be equally divided between men and women within a variance of one (Article I, Rule 3.4.6).

Methods of placing names on the primary election ballot and the designation of candidates by the Pre-Primary Election Convention are governed by the Election Handbook of the State of New Mexico. Voting shall be non-secret and conducted according to Article I, Rule 5.5.2.2.

##### **4.5.2 – Recount Process**

Every candidate for each office to be filled receiving twenty (20%) percent or more of the votes of the duly elected delegates to the convention shall be certified to the Secretary of State as a convention-designated nominee for that office by the Democratic party of New Mexico.

Any fraction or decimal greater than one-half of a whole number shall be counted as a whole number. Candidates receiving a vote less than the threshold of 20% but constituting a major fraction (above 19.5%) shall be rounded to twenty percent.

All vote counting shall be conducted by DPNM staff and observed by the DPNM attorney, one representative of the DPNM State Rules Committee, and one representative of the DPNM Judicial Council. One representative of each candidate may also be present as an observer.

Any candidate receiving more than 18.5% but less than or equal to 19.5% and, believing there may have been vote counting discrepancies, may request a hand recount by specific

congressional districts. DPNM staff shall conduct the hand recount within 24 hours of the election.

The candidate requesting the recount shall be responsible for reimbursing the DPNM for staff time not to exceed \$200.00 per hour, unless the recount changes the election result, in which case the candidate requesting the recount is not responsible for the costs of the recount. The recount shall provide the final number of valid votes.

#### **4.5.3 – Alternate Delegates**

An alternate delegate elected to a State Convention may vote if the alternate delegate has been designated by an absent delegate, elected or automatic, who is from the same county. A delegate is free to designate an alternate delegate of the delegate's choice.

If delegates are absent and have not designated alternate delegates, the alternate delegates shall fill the delegates' positions according to Article II, Rule 4.1.3.2.

If the rank ordering of alternate delegates at the preceding County Convention is not determinable, then vacancies that exist for which there have been no designations by the absent delegates shall be filled by the drawing of lots from the county pool of alternate delegates.

If no alternate delegates are available to fill vacancies, the size of the county delegation is diminished accordingly

#### **4.5.4 – Credentials**

An accredited participant in the convention may, after having appeared at the convention and having established credentials, give said credentials to another accredited participant from the same county, provided that no person may hold more than three (3) credentials plus their own at one time.

### **4.6 – Platform**

A platform, if required, shall be adopted by a sixty-percent (60%) non-secret vote (Article II, Rule 4.3 and Article II, Rule 7.2.2.4).

### **4.7 – Minority Reports**

A minority report shall be presented to the convention upon the vote of ten percent (10%) of the delegates or ten percent (10%) of the members of a committee.

### **4.8 – Distribution of Material**

No printed matter shall be distributed at a convention unless it bears the name(s) of the author(s).

## **Section 5 – National Conventions**

### **5.1 – Eligibility and Selection as a National Delegate**

Delegates to national conventions shall be chosen in accordance with *The Charter and The Bylaws* of the Democratic Party of the United States and the *State Delegate Selection Plan* submitted by the State Central Committee in accordance with the *Democratic National Committee Rules*.

### **5.2 – Apportionment of National Delegates**

The National Convention delegation shall be apportioned among the three (3) Congressional Districts based on the sum of the votes cast for the Democratic candidates in the most recent presidential and gubernatorial general elections.

## **Section 6 – Judicial Council**

### **6.1 – Powers and Duties**

The Judicial Council shall adjudicate disputes arising from the interpretation or application of Democratic Party Rules at all levels within the state. The decisions of the Judicial Council shall be subject to appeal by an aggrieved party only to a State Convention or the State Central Committee whose decision shall be final.

The functions of the Judicial Council shall include but not be limited to the following:

#### **6.1.1**

Review challenges concerning the election of:

1. Delegates to a State Convention.
2. State Central Committee members.
3. County officers.
4. County Central Committee members.

#### **6.1.2**

Interpret Rules upon the written request of the State Chair or at least five (5) County Chairs.

Unless otherwise requested by the State Chair or at least five (5) County Chairs, the Judicial Council shall review on appeal only those challenges that were first presented to a County Central Committee or County Convention for action prior to appeal to the Judicial Council.

**6.1.3**

The DPNM Judicial Council shall have original jurisdiction for any complaints made under Article I, Rule 3.4.5.1.

1. Any complaint made under Article I, Rule 3.4.5.1 must include, in writing to the Judicial Council, the actual allegation and the redress sought.
2. The Judicial Council will have the authority to impose any penalty they deem to be appropriate, up to and including removal of the offender from any party position, and will keep a record of any proceedings under this rule.

**6.2 – Members**

The Judicial Council shall be composed of the following members, with each Congressional District being represented by no fewer than three (3) members. Membership on the Committee is not subject to the requirement of equal division of men and women.

1. The State Vice-Chair At-Large, who shall preside at all meetings.
2. All District Vice-Chairs.
3. Three (3) persons, at least one of whom shall also be a member of the State Rules Committee, appointed by the State Chair after the election of state officers. Appointments are subject to confirmation by the Executive Committee.

The State Chair shall also appoint three (3) alternate members of her/his/their choice to the Council. Members of the Council shall serve for a term of two (2) years. Appointments are subject to confirmation by the Executive Committee.

No one whose elected or appointed position is contested may vote on that contest at any meeting of the Council. Vacancies occurring on the council shall be filled for the balance of the term in the same manner as that used in filling the position initially.

**6.3 – Procedures**

The Judicial Council shall review challenges and adjudicate disputes. In each case the Judicial Council shall provide an opportunity for a hearing for all sides of an issue to be presented. The Judicial Council shall issue an order either dismissing or affirming any challenges and directing an appropriate remedy where applicable.

## **Section 7 – Standing Committees of the DPNM**

### **7.1 – Common Rules for All Standing Committees**

The following rules apply to all DPNM standing committees equally.

#### **7.1.1 – Meeting as a Sub-Committee When Quorum Is Not Reached**

If the standing committee is unable to meet the required quorum at a scheduled meeting, the committee may meet as a sub-committee, discuss issues, and accept comments from any Democrat who wishes to speak.

The sub-committee will make a report of the meeting to the full standing committee at the next opportunity.

### **7.2 – State Rules Committee (SRC)**

#### **7.2.1 – Purpose**

#### **7.2.2 – Powers and Authority**

The duties of the State Rules Committee shall include the following:

##### **7.2.2.1**

Recommend revisions to the DPNM Rules.

##### **7.2.2.2**

Assist counties in adopting and amending supplemental county party rules.

##### **7.2.2.3**

Draft the Delegate Selection Plan and such other plans required for submission and approval by the State Central Committee and/or the Democratic Party of the United States.

##### **7.2.2.4**

Perform such other duties assigned by the State Chair.

#### **7.2.3 – Members**

A State Rules Committee, and its Chair from among its members, shall be appointed by the State Chair and announced at the first State Central Committee meeting following the election of state officers.

It shall be composed of eleven (11) members, at least one of whom shall be a licensed attorney in the State of New Mexico.



Membership on the Committee is not subject to the requirement of equal division of men and women. However, at least four of all the members must self-identify as a woman, and at least four of all the members must self-identify as a man (Article I, Rule 3.4.6).

Statewide geographic diversity among the members shall be a goal, with each Congressional District being represented by at least three (3) members.

The Rules Committee Chair and at least three (3) of the other ten (10) members shall have been members of the Rules Committee in the immediately previous two-year term. Appointments are subject to confirmation by the Executive Committee.

#### **7.2.4 – Meetings and Calls**

The committee shall hold its meetings at least once per quarter, upon the Call of the State Chair, the Rules Committee Chair, or by a Call initiated by petition of sixty percent of its members. All voting shall be non-secret. The quorum for meetings is a majority of all the members whether attendance is in-person or by the telephone or video method.

Committee members are expected to attend all meetings. Three consecutive absences will cause a committee position to be considered vacated. The removal will go into effect upon majority vote of the Rules Committee.

### **7.3 – State Platform and Resolutions Committee (SPARC)**

#### **7.3.1 – Purpose**

#### **7.3.2 – Powers and Authority**

In preparation for State Conventions, the State Platform and Resolutions Committee shall:

##### **7.3.2.1**

Submit recommendations on issues to the State Convention for adoption either as resolutions or as planks in the platform of the Democratic Party.

##### **7.3.2.2**

Conduct at least one platform hearing per year in each Congressional District.

##### **7.3.2.3**

Invite experts to speak on issues of interest at the hearings and invite the press, the general public, candidates and elected officials to attend.

##### **7.3.2.4**

Consider resolutions passed by formal meetings and conventions or proposed by individual Democrats and draft a platform for submission to the Pre-Primary Election Nominating Convention.

### **7.3.3 – Members**

The State Platform and Resolutions Committee shall be composed of fifteen (15) members as follows:

#### **7.3.3.1**

The State Chair

#### **7.3.3.2**

Nine (9) members elected by the State Central Committee after the election of state officers:

1. two (2) members of different gender from each Congressional District, elected by the respective members of the State Central Committee from the Congressional District, and
2. three (3) members elected at-large.

The election of the three (3) at-large members will be in accordance with Appendix A. Voting for the at-large members will not begin until after the names of those elected at the Congressional District level have been announced.

#### **7.3.3.3**

Five (5) members appointed by the State Chair. The State Chair shall make these appointments within thirty (30) days following the meeting at which the election of the other members takes place.

One of the appointees shall be designated as the temporary chair by the State Chair and shall serve as such until the committee elects its chair at the first meeting. Appointments are subject to confirmation by the Executive Committee.

#### **7.3.3.4**

Committee members need not be members of the State Central Committee and shall serve for a period of two (2) years or until the next meeting of the State Central Committee at which an election of committee members takes place

#### **7.3.3.5**

Vacancies among elected members shall be filled by alternate members who were those candidates for election to the committee who received votes but were not elected. Ranking for eligibility to fill vacancies shall be in order of votes received, the first ranked being the alternate member with the most votes.

Elected positions left vacant for more than thirty (30) days shall be filled by the State Chair. In either case, the requirement of proper Congressional District and at-large

representation (Article II, Rule 7.2.3.2) shall be fulfilled. Vacancies among appointed members shall be filled by the State Chair.

The appointment of a committee member to fill a vacancy on the committee shall be posted on the DPNM web site and announced at the next State Central Committee meeting.

#### **7.3.4 – Meetings and Calls**

##### **7.3.4.1**

Meetings may be called by the State Chair, the committee chair or by a Call initiated by a quorum of the committee members. The first meeting shall be called within six (6) weeks after the committee is selected. The committee chair shall be elected at that first meeting. All voting shall be non-secret. A quorum for meetings is a majority of all members, whether attendance is in-person or by teleconference-call.

Committee members are expected to attend all meetings. Three consecutive absences will cause a committee position to be considered vacated. The removal will go into effect upon majority vote of the State Platform and Resolutions Committee.

##### **7.3.4.2**

Notice of meetings shall be posted on the DPNM web site at least ten (10) days in advance of the meeting. Committee members shall be notified in writing (postal or email) ten (10) days in advance of the meeting.

#### **7.4 – Budget & Finance Committee (B&FC)**

The Budget & Finance Committee and the State Central Committee shall work together to jointly address these financial goals of the DPNM:

- The DPNM and all of New Mexico’s County Democratic Parties shall comply with all reporting requirements of the Federal Election Commission and the New Mexico Secretary of State.
- The DPNM and its County Democratic Parties shall be assisted in expanded fund-raising efforts by having ready access to documented financial transparency, easily understood by donors and other stakeholders, through the application of Generally Accepted Accounting Practices (GAAP) as outlined in the *DPNM Financial Policies & Procedures*.
- The budgetary and financial activities of the DPNM shall be practically achievable through adequate staff support, committee organization, and streamlined, routine procedures.

### **7.4.1 – Functions of the Budget & Finance Committee**

The Budget & Finance Committee shall assist the State Central Committee in fulfilling the SCC’s responsibility regarding financing of the DPNM. This assistance shall include, but is not limited to, the following activities:

- providing financial information to the State Central Committee
- estimating costs of party activities
- fund-raising
- prioritizing expenditures

#### **7.4.1.1 -- Provide Financial Information to the State Central Committee**

The Budget & Finance Committee shall assure that the SCC members are provided accurate and adequate financial information, which will enable them to make informed decisions when asked to approve the proposed DPNM budget.

The Budget & Finance Committee shall assure that the financial information is prepared according to *DPNM Financial Policies & Procedures*.

#### **7.4.1.2 -- Estimate Costs of Party Activities**

The Budget & Finance Committee shall assist DPNM staff and others with planning, scheduling, and estimating the cost of Party activities, with an emphasis on grassroots party building.

#### **7.4.1.3 – Conduct Fund-Raising Activities**

The Budget & Finance Committee shall raise funds for the activities authorized by the SCC. These are the principles by which DPNM guides its fund-raising activities:

1. DPNM fund-raising is led by the state party Chair.
2. All categories of party membership have roles to perform in the fund-raising strategy of the party:
  - the state party Chair
  - the other elected state party officers
  - the Executive Director
  - the other members of DPNM staff
  - the members of the SCC
  - the members of the Budget & Finance Committee
  - the registered members of the Democratic Party of New Mexico
3. Among the most effective methods of raising the necessary funds is to demonstrate excellence in fulfilling the core purpose of the DPNM, which is to retain and elect Democrats to public office.

4. The Budget & Finance Committee shall reflect its fundraising obligations in the *DPNM Financial Policies & Procedures*.

#### **7.4.1.4 - Prioritizing Expenditures**

The Budget & Finance Committee shall establish priorities in the event that funds are not adequate to support all planned activities.

### **7.4.2 – Powers and Authority of the Budget & Finance Committee**

The Budget & Finance Committee has the responsibility and authority for accomplishing the following:

- providing budget advice and consent
- reviewing quarterly financial reports
- overseeing financial reports to the SCC
- authorizing the annual review
- adopting financial Policies & Procedures
- aligning DPNM fiscal activities with the state party platform
- resolving disputes among/between B&FC members
- training B&FC members

#### **7.4.2.1 – Provide Budget Advice and Consent**

The Budget & Finance Committee shall provide advice and consent to a two (2) year rolling budget. The yearly budget and financial statements will be reviewed at all meetings of the Budget & Finance Committee.

The Budget & Finance Committee shall submit budgets covering the two succeeding years for approval by the State Central Committee at each Fall SCC meeting. The budgets shall include only the core DPNM Program Activities. Coordinated Campaign activities shall not fall under this approval and shall be accounted for separately.

The budget for the immediately succeeding year shall already have been acted upon in a previous two-year approval, so its recommendation may simply be to confirm, or it may be to amend to reflect added current information.

The Budget shall be prepared following *DPNM Financial Policies & Procedures*.

#### **7.4.2.2 – DPNM Fiscal Year**

The DPNM fiscal year is defined as follows:

- The first fiscal year of the State Officers' terms shall commence with the first day of the month following the election of state officers and standing committee members by the State Central Committee, as provided in Article II, Rule 2.1.

- The second fiscal year of the State Officers’ term shall begin with the first day of the same month as in the first year of the State Officers’ term.
- The second fiscal year of the State Officers’ term shall end upon the commencement of the first fiscal year of the subsequent State Officers’ term of office.

#### **7.4.2.3 – Review Quarterly Financial Reports**

The Budget & Finance Committee shall provide oversight of DPNM financial activities and shall review the quarterly financial report.

#### **7.4.2.4 – Oversee B&FC Reports to the SCC**

The Budget & Finance Committee shall oversee and supervise the preparation of a Budget & Finance Committee Report for the State Central Committee, for the Spring and Fall meetings, according to *DPNM Financial Policies & Procedures*.

#### **7.4.2.5 – Authorize an Annual Review**

The Budget & Finance Committee shall authorize the annual review of the DPNM financial records by an outside third party who has training and skill in the preparation of financial statements, and who has an understanding of relevant basic internal controls. The Budget & Finance Committee shall select the outside reviewer.

The review of the financial records shall include (but is not limited to) the following:

- an analysis of the completeness of transactions posting to proper general ledger accounts.
- review of monthly reconciliations to bank statements.
- proper classification of expense transactions on the functional expense statement.
- a general process review to ensure duties of asset custody, reconciliation, and posting are properly segregated.

Review of state and federal transactions to ensure accuracy and completeness will be performed in accordance with *DPNM Financial Policies & Procedures*.

The Budget & Finance Committee Chair shall provide the Executive Director with the results of the review. The Executive Director shall prepare responses to all findings and shall present both those findings and management responses to the Budget & Finance Committee no later than 3 months past the completion of the review.

An ‘audit’ as defined by the American Institute of Certified Public Accountants (AICPA) is not required, as the expense does not equal the benefit derived.

**7.4.2.6 – Adopt Financial Policies & Procedures**

With the concurrence of the State Chair and the Executive Director, the Budget & Finance Committee shall adopt, monitor, and revise *DPNM Financial Policies & Procedures*.

The Budget & Finance Committee shall ensure that *DPNM Financial Policies & Procedures* are available to SCC members, donors, and other stakeholders through the DPNM website.

The Budget & Finance Committee shall ensure that compliance with financial policies, as defined in *DPNM Financial Policies & Procedures*, is carried out completely and thoroughly.

The policies in the *DPNM Financial Policies & Procedures* shall include (but are not limited to) the following:

- Annual Review of Financial Accounts
- Authority
- Bank Account Authorizations
- Basis of Accounting
- Cash Management
- Conflicts of Interest
- Gift Acceptance
- Preparation of Budgets
- Preparation of Financial Statements and Reports
- Reimbursements

**7.4.2.7 – Align Activities with State Party Platform**

The Budget & Finance Committee shall ensure alignment with the state party platform by aligning DPNM fiscal activities with state party platform goals (e.g. paying a living wage).

The Budget & Finance Committee shall make an annual report to SPARC, outlining areas of DPNM fiscal alignment with the state party platform and opportunities for greater alignment that have yet to be achieved.

**7.4.2.8 – Resolve Disputes**

In the event there are persistent differences of perspective with regard to financial matters raised by members of the Budget & Finance Committee, those differences shall be resolved internally by the Committee.

#### **7.4.2.9 – Train Committee Members**

The Budget & Finance Committee members shall attend a training session led by the Executive Director (or designee) that explains basic information about the following, as outlined in the *DPNM Financial Policies & Procedures*:

- how the party operates
- review of financial transactions
- the basic financial process
- bank accounts
- review of transactions
- any other information deemed necessary

#### **7.4.3 – Members of the B&FC**

The Budget & Finance Committee shall be composed of eleven (11) voting members, as follows:

- Chair – State party Treasurer
- Elected members – Two from each Congressional District
- Appointed members – Appointed by the state party Chair

##### **7.4.3.1 – Committee Chair**

The state party Treasurer shall be the Chair of the Budget & Finance Committee.

##### **7.4.3.2 – Members Elected from Congressional Districts**

From each Congressional District, two (2) members of different gender identities shall be elected by the State Central Committee members from that Congressional District.

##### **7.4.3.3 – Members Appointed by the State Chair**

The state party Chair shall appoint four (4) members; these appointments shall be gender balanced. (See Article I, Rule 3.4.6.) The state Chair shall make these appointments within thirty (30) days following the election of the other members.

Appointments are subject to confirmation by the state Executive Committee. (See Article II, Rule 2.2.4.)

##### **7.4.3.4 – Term of Service**

Budget & Finance Committee members serve for a term of two (2) years, or until the next scheduled election of state officers, or until the committee member's successor is elected or appointed.



**7.4.3.5 – Attendance At Meetings**

B&F Committee members are expected to attend all committee meetings. Three consecutive absences will cause a committee position to be considered vacated. The removal will go into effect upon a majority vote of the Budget & Finance Committee.

**7.4.3.6 – Vacancies on the B&FC**

Vacancies shall be filled in the following manner:

1. For an elected position, the vacancy shall be filled by the Budget & Finance Committee Chair. The new member shall be from the same Congressional District and shall be of the same gender identity as the vacating member.
2. For an appointed position, the vacancy shall be filled by the state party Chair. The new member shall be of the same gender identity as the vacating member.

**7.4.4 – Meetings of the B&FC**

The Budget & Finance Committee shall meet at least once per quarter at a meeting called by the B&F Committee Chair, the state party Chair, or the Assistant Treasurer, or by a majority of the committee members (50% + 1). The first meeting shall be called within six (6) weeks after the committee is formed.

All voting shall be non-secret. The Committee shall keep a record of its proceedings.

The quorum for meetings is a majority of all members, whether attendance is in-person or by telephone or video conferencing (see [Article I, Rule 7.2](#)).

**7.5 – Affirmative Action Committee (AAC)****7.5.1 – Purpose****7.5.1.1**

To reach out to any and all American Citizens, especially minorities, to take an active part in the ongoing political process of the Democratic Party of New Mexico.

**7.5.1.2**

To ensure that the process of selecting delegates to the National Convention of The Democratic Party and to all state and county conventions is open to all minority groups.

**7.5.1.3**

To encourage full participation by all Democrats as described in The Charter & Bylaws of The Democratic Party of The United States.

### **7.5.2 – Powers and Authority**

#### **7.5.2.1**

Prepare and implement an aggressive Outreach and Affirmative Action Program.

#### **7.5.2.2**

Report to the State Central Committee plans and results. Reports shall be delivered by Committee Chair or their designee.

#### **7.5.2.3**

Meet the requirements of *Article Eight, Full Participation*, of the *Charter & Bylaws of the Democratic Party of the United States*.

#### **7.5.2.4**

Make recommendations to DPNM State Rules Committee and State Platform and Resolutions Committee on actions items which further the scope of the Affirmative Action Committee.

### **7.5.3 – Members and Officers**

The Affirmative Action Committee shall consist of fifteen (15) voting members. Ten (10) shall be elected by the State Central Committee at which an election of State Officers takes place. Elected members are subject to equal gender division (Article I, Rule 3.4.6).

1. Each Congressional District shall be represented by two (2) members
2. Four (4) members shall be elected at large.

The election of the four (4) at-large members will be in accordance with Appendix A. Voting for the at-large members will not begin until after the names of those elected at the Congressional District level have been announced.

#### **7.5.3.1**

Five (5) members shall be appointed by the State Chair, one of whom shall be on the staff of the Democratic Party of New Mexico.

1. Members appointed by the State Chair serve at the State Chair's pleasure.
2. The State Chair shall make these appointments within thirty (30) days of the election of state officers.
3. Appointments are subject to confirmation by the Executive Committee.
4. One of the elected members shall be designated as Temporary Chair of the committee by the State Chair at the time of the election.

At the first meeting of the committee the members shall elect the Committee Chair. The Chair and Vice-Chair shall be of different gender. Committee members need not be members of the State Central Committee. Committee members serve for a period of two

years or until the next meeting of the State Central Committee at which an election of committee members takes place. The State Chair shall be a non-voting participant of the committee. The committee shall have gender diversity (at least five (5) women and five (5) men).

#### **7.5.4 – Meetings and Calls**

##### **7.5.4.1**

The committee shall hold meetings upon the call of the State Chair, the Affirmative Action Committee Chair, Vice-Chair, or by a Call initiated by a quorum of the committee members. The first meeting shall be called within four (4) weeks after the committee is selected. All voting shall be non-secret. A quorum of meetings is a majority of all members whether attendance is in-person or by conference-call. The committee chair shall be elected at the first meeting.

##### **7.5.4.2**

Committee members are expected to attend all meetings. Three consecutive absences will cause a committee position to be considered vacant. The removal will go into effect upon majority vote of the Affirmative Action Committee.

##### **7.5.4.3**

The Affirmative Action Committee shall meet at least once per quarter at a meeting to be called by the Committee Chair, Vice-Chair, or by a majority of the Committee Members (50% +1).

### **Section 8 – National Committee Members and Presidential Electors**

#### **8.1 – State Central Committee**

The State Central Committee shall elect, for confirmation by the Democratic National Committee, a National Committeewoman and a National Committeeman for New Mexico. The election shall be held in the calendar year of the National Convention at a State Central Committee meeting which precedes the election of delegates to the National Convention.

In such years a slate of nominees for Presidential Electors shall be submitted for nomination to the Post-Primary Convention by the State Chair (*Election Handbook of the State of New Mexico*).

A vacancy occurring for National Committeeman or National Committeewoman shall be filled by majority vote of the State Central Committee.

A vacancy among, or absence of, Presidential Electors shall be filled according to the *Election Handbook of the State of New Mexico*.

## **Section 9 – Resolutions from the Floor**

Resolutions from the floor of a State Central Committee meeting or State Convention shall require written submission to the chair prior to the report of the State Platform and Resolutions Committee.

Before the resolution may be debated, the meeting or convention shall approve by two-thirds (2/3) vote consideration of the resolution. Resolutions from the floor shall be presented after the report of the State Platform and Resolutions Committee.

Rules with respect to limitations as to time allotted for debate, number of speakers, etc. shall be addressed in the standing rules of the meeting or convention.

## **Section 10 – State-Level Democratic Caucuses and Affiliated Organizations**

### **10.1 – Definition**

A DPNM State Caucus or affiliated organization is a group of fifteen (15) or more individuals registered as Democrats in the State of New Mexico, with representation from a majority of congressional districts, who are united in a cause or in a group of issues that reflect, embody, or support the goals, beliefs, and values of the DPNM and the Democratic Party of the United States.

### **10.2 – Authorization of Caucuses and Affiliated Organizations**

A state-wide organization wishing to be identified as a DPNM State Caucus or affiliated organization may do so only upon:

#### **10.2.1 – Bylaws Approved**

Confirmation by the State Rules Committee with majority vote that the proposed Caucus or affiliated organization has submitted proposed Bylaws that are consistent with this Rule; and

#### **10.2.2 – Bylaws Received by DPNM Secretary**

Confirmation by the Secretary of the DPNM that the Secretary has received the Bylaws approved by the State Rules Committee; and

#### **10.2.3 – Approval by the SCC**

Approval by the State Central Committee with two-thirds vote that the proposed Caucus or affiliated organization meets the definition of a DPNM State Caucus or affiliated organization.

**10.2.4 – Existing Organizations Retain SCC Authorization**

Any organization already authorized as a DPNM Caucus or affiliated organization as of the date of passage of this rule (10/13/2018) will retain that authorization, provided that the Caucus or affiliated organization meets the membership requirements (Article II, Rule 10.5) and reporting requirements (Article II, Rule 10.6) within 15 months of the date of passage of this rule (by 1/13/2020).

When all DPNM Caucuses and affiliated organizations are in compliance with Article II, Section 10, or have been terminated due to lack of compliance, this Rule 10.2.4 will be deleted.

**10.3 – Two Voting Members on the SCC**

Upon approval of the State Central Committee, the new Caucus or affiliated organization will receive voting positions on the State Central Committee as follows:

**10.3.1 – First SCC Membership at Time of Approval**

Caucuses or affiliated organizations with fifteen (15) members or more at the time of the approval by the State Central Committee will receive one (1) voting position upon such approval.

**10.3.2 – Second SCC Membership**

Caucuses or affiliated organizations that have met the reporting requirements of Article II, Rule 10.6 for one year and have fifteen (15) members or more will receive a second voting position on the SCC.

**10.3.3 – Existing Organizations Attain or Retain SCC Voting Membership**

All caucuses and affiliated organizations already authorized by the DPNM State Central Committee as of the date of passage of this rule will retain or attain two voting positions on the SCC, provided that the Caucus or affiliated organization meets the membership requirements (Article II, Rule 10.5) and reporting requirements (Article II, Rule 10.6) within 15 months of the date of passage of this rule.

When all DPNM Caucuses and affiliated organizations are in compliance with Article II, Section 10, or have been terminated due to lack of compliance, this Rule 10.3.3 will be deleted.

As of the date this rule is submitted for passage (10/13/2018) there are ten (10) caucuses or affiliated organizations upon which this grandfathering clause will apply. They are:

- (1) Democratic Labor Caucus of New Mexico,
- (2) New Mexico Federation of Democratic Women,

- (3) Native American Democratic Caucus of New Mexico,
- (4) New Mexico Young Democrats,
- (5) New Mexico Democratic Black Caucus,
- (6) New Mexico Veterans and Military Families Caucus,
- (7) Adelante Progressive Caucus of the Democratic Party of New Mexico,
- (8) East Mountain Democrats NPC and Exurban Rural and Ranch Caucus,
- (9) LGBTQ Democratic Caucus of New Mexico and
- (10) New Mexico Hispanic Democratic Caucus.

## **10.4 – Bylaws**

The Bylaws for any Caucus or affiliated organization formed or authorized after the date of passage of this rule must include, at a minimum, the following sections:

### **10.4.1 – Mission Statement**

A Mission Statement must reflect, embody, or support the goals, beliefs, and values of the DPNM and the Democratic Party of the United States.

### **10.4.2 – Membership**

The Membership section must provide a description of who can be a member, according to the membership requirements of this Rule (Article II, Rule 10.5), including a dues requirement if applicable.

### **10.4.3 – Leadership Structure**

The leadership structure must include a President or Chair, a Vice-President or Vice-Chair, a Secretary, and a Treasurer. The Bylaws must define the roles of each office, the procedure for elections of officers and filling vacancies, and the term of office. These positions must be filled by the time the State Rules Committee reviews the Bylaws.

### **10.4.4 – Reporting**

The Bylaws must define a process by which to fulfill the reporting requirements of this Rule (Article II, Rule 10.6) and must also designate the Officer or Officers who shall be responsible for reporting.

## **10.5 – Membership Requirements**

In order to attain and retain status with the DPNM as an authorized Caucus or affiliated organization, and to attain and retain voting membership on the SCC as described in Article II, Rule 10.3, a Caucus or affiliated organization must maintain a minimum of fifteen (15) members. All members must be individuals registered as Democrats in the State of New Mexico. A majority of congressional districts must be represented in the membership.

## **10.6 – Reporting Requirements**

In order to attain and retain status with the DPNM as an authorized Caucus or affiliated organization, the Caucus or affiliated organization must file a written report with the Secretary of the DPNM twice a year – on or before January 31 and July 31 – listing its members and their addresses, and confirming its active status by reciting its activities in the preceding six months which were in fulfillment of its Mission Statement or Purpose.

## **10.7 – Termination of State-Level Caucus or Affiliated Organization by State Central Committee**

### **10.7.1 – Written Warning**

If a Caucus or affiliated organization fails to file 2 consecutive required written reports, the Secretary of the DPNM shall issue a written warning to the Caucus or affiliated organization at least three months before the third report is due that its status as an authorized Caucus or affiliated organization is in danger of termination if it does not file the third report due.

### **10.7.2 – Termination**

If a Caucus or affiliated organization fails to file 3 consecutive required reports and the Secretary of the DPNM has issued a warning to the Caucus or affiliated organization, then the State Central Committee may terminate the affiliation of the Caucus or affiliated organization with the DPNM by majority vote.

### **10.7.3 – Restoring Good Standing**

Before a Caucus or affiliated organization can restore its good standing with the DPNM, all missing required reports for the Caucus or affiliated organization must retroactively be filed with the Secretary of the DPNM.

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# ARTICLE III – COUNTY PARTY ORGANIZATION

## Section 1 – Notice of Party Actions

### 1.1 – Purpose and Methods of Notification

The purpose of notification about precinct/ward meetings, county meetings, and county conventions, where election of party officers or delegates is planned, is to reach as many current and prospective members of the DPNM in the precinct/ward/county as possible in an effective, timely, efficient, and cost-effective fashion. The county parties will do their best to provide such notification, while meeting the requirements of Article I, Rule 3.4.2, Rule 3.4.3, and Rule 3.4.4.

These are some possible notification methods available to county parties:

1. Publication of a legal notice, paid advertisement, or news item in a newspaper of general circulation in the county, printed in languages appropriate to the county population.
2. In counties having newspapers targeting minority-group readership, publication of a legal notice, paid advertisement, or news item in those newspapers.
3. Paid or public-service announcements on radio stations and/or television stations that are broadcast in the county, in languages appropriate to the county population.
4. Direct mail sent to Democratic Party members registered in the county.
5. Email messages sent to Democratic Party members registered in the county.
6. Text messages sent to Democratic Party members registered in the county.
7. Paper flyers posted in areas where residents of the county gather, such as at Chapter Houses in the Navajo Nation, Pueblo or Reservation community centers, and so on.
8. Messages posted via Instagram, Facebook, Twitter, and other social-media accounts managed by the County Democratic Party.
9. Detailed information posted on a website managed by the Democratic Party of the county. This more complete information can be referenced and linked to by the other forms of notification.
10. Telephone calls, following a suggested script, made in phone-tree fashion; for example, from Ward Chairs to Precinct Chairs to Block Captains to Democratic Party members registered in the county. An alternative telephone notification method is “robocalls” that provide the key information and leave a call-back number.
11. Postcards mailed to Democratic Party members in the precinct/ward/county who have agreed to be conduits of information to their local party members.

County parties may also select other notification methods not identified in this list of possible options.

County parties shall submit their Notification Plans in writing to the DPNM Chair (or, if the Chair so designates, to the DPNM Executive Director) for approval at least forty five (45) days prior to the notification date. The DPNM Chair (or designate) shall reply to the county parties within

seven (7) days of the submission date, specifying whether the Notification Plan is approved or requires modification.

Within seven (7) days after the county party's Notification Plan has been approved by the DPNM, staff at the DPNM shall post the county's detailed Meeting Notice on the DPNM website. The posted Meeting Notice shall specify the purpose, date, time, and location for holding the meeting, and shall provide contact information for the person(s) responsible for the meeting. This detailed online information shall be referenced and linked to by the county party's other forms of notification.

Each county party shall be financially responsible for the notification methods used. However, no county party shall be responsible for any costs associated with posting the county's Meeting Notice on the DPNM website.

## **Section 2 – County Central Committee**

### **2.1 – Powers and Authority**

The County Central Committee is the governing body of the County Democratic Party when regularly convened in the absence of a convention in session. It shall have general supervision and control of the political affairs of the party in the county, except as otherwise provided. By a two-thirds (2/3) vote of all of its members, it may adopt or amend supplemental county party rules not in conflict with these DPNM Rules.

### **2.2 – Assessments**

The County Central Committee shall have the authority to levy dues or assessments upon the various recognized party organizations on an equitable basis.

### **2.3 – Members**

The County Central Committees shall be composed of the following. Membership on the Committee is not subject to the requirement of equal division of men and women (Article I, Rule 3.4.6).

#### **2.3.1 – Ward Chairs**

#### **2.3.2 – Precinct Chairs**

#### **2.3.3 – Additional Committee Persons**

Additional committee persons as allocated to the precincts on the basis of the average of votes cast in each precinct for the Democratic candidate in the most recent presidential and gubernatorial elections.

A fair allocation formula shall be set by the supplemental county party rules and shall be uniform throughout the county. The allocation may vary from one committee person for

each 200 votes to one committee person for each 25 votes, depending on the supplemental county party rules, provided, however, that the allocation formula shall not result in more than one-third (1/3) of the precincts of the county being represented by only one committee person.

The membership allotted to the precinct chair is included in the number of committee persons allocated to that precinct.

#### **2.3.4 – County Chair and First Vice Chair**

#### **2.3.5 – Any or All of the Following Only If Supplemental County Party Rules So Provide**

##### **2.3.5.1 – Other County Party Officers**

##### **2.3.5.2 – State Legislators Who Reside Within the County**

##### **2.3.5.3 – County Commissioners**

##### **2.3.5.4 – Members of Caucuses**

Such members of approved caucuses and affiliated organizations as may be provided for in accordance with Article III, Section 6 of these DPNM Rules and any relevant supplemental county party rules.

#### **2.4 – Meetings and Calls**

The County Central Committee shall meet upon the call of the County Chair or by a call initiated by the petition of a majority of the membership. The call shall give reasonable notice and shall be mailed to each member and shall specify the time, place and purposes of the meeting. Publication of notice shall be according to Article I, Rule 3.4.2.1. The call may be amended only by a three-fourths (3/4) vote.

#### **2.5 – Proxy**

Except as otherwise provided, proxy voting is permitted. A proxy shall be in writing, signed by the person giving the proxy and filed with the County Secretary. A proxy shall be valid only when voted by a registered Democrat of the same ward as the person giving the proxy, provided that no person may hold more than three (3) proxies at one time.

#### **2.6 – Election of State Central Committee Members**

State Central Committee (SCC) members shall be elected during county party elections as specified in the call of the State Chair. Election of SCC members shall be conducted following the election of county party officers.

The required number of SCC members shall be elected in accordance with Article II, Rule 1.2.2. All elections shall be by non-secret ballot (Article I, Rule 5.5.2.2).

Upon the election of State Central Committee members, their names, home postal and e-mail addresses, and phone numbers shall be forwarded to the State Chair by the respective County Party Chairs within seventy-two (72) hours after the election.

State Central Committee members elected during county party elections shall serve on the SCC for a term of two (2) years as specified in Article II, Rule 1.1.1. Members elected to fill an SCC vacancy shall serve until the end of the current term.

## **Section 3 – County Standing Committees**

### **3.1 – County Credentials and Rules Revision Committee**

#### **3.1.1 – Members**

Ward chairs shall serve as members unless otherwise provided by supplemental county party rules. Membership on the Committee is not subject to the requirement of equal division of men and women.

#### **3.1.2 – Chair**

The County Chair shall appoint a Chair of the Committee from among the members. The Committee Chair shall participate in the proceedings of the Committee, including the making of motions and voting, and shall be counted in determining the quorum (Article I, Section 6).

#### **3.1.3 – Secretary**

A Secretary shall be appointed by the Committee Chair.

#### **3.1.4 – Powers and Authority**

Unless otherwise provided by supplemental county party rules, the Committee shall hear challenges to the election of ward and precinct officers, act to remove officers in accordance with Article IV, Section 4, and deliberate the credentials of all ward/precinct officers, including County Central Committee members, except that no member of a ward or precinct whose election is challenged may take part in deliberations regarding that challenge.

The Committee shall serve as a standing committee on supplemental county party rules revision and, in an advisory capacity, serve the County Chair and Executive Committee as a supplemental county party rules interpretation committee.

#### **3.1.5 – Meetings**

The Committee shall meet prior to the County Central Committee meeting at a time specified in supplemental county party rules or, in the absence of a rule, by direction of the

County Chair. If a member cannot attend a meeting, she/he/they may designate a proxy from among the qualified electors from her/his/their ward.

### **3.2 – Convention Credentials and Rules Committee**

#### **3.2.1 – Members**

Unless otherwise provided by supplemental county party rules, at the time of ward meetings, when one of the purposes of the meetings is to select delegates to a County Convention, each ward shall elect a member to the Convention Credentials and Rules Committee from among the elected delegates to the convention. Membership on the Convention Credentials and Rules Committee is not subject to the requirement of equal division of men and women.

#### **3.2.2 – Chair**

The County Chair shall appoint a Chair of the Convention Credentials and Rules Committee from among the members. The Committee Chair shall participate in the proceedings of the Committee, including the making of motions and voting, and shall be counted in determining the quorum (Article I, Section 6).

#### **3.2.3 – Secretary**

The Committee Chair shall appoint a Secretary.

#### **3.2.4 – Powers and Authority**

Unless otherwise provided by supplemental county party rules, the Convention Credentials and Rules Committee shall hear challenges to the election of all delegates to a County Convention and deliberate the credentials of all delegates to the convention, except that no member of a ward whose election is challenged may take part in deliberations regarding that challenge.

The Committee may make such recommendations as it deems necessary to settle disputed elections. All recommendations are subject to final approval of the Committee for its report to the County Convention. When so designated by the County Chair, the Committee shall serve as the Convention Rules Committee.

#### **3.2.5 – Meetings**

The Committee shall meet prior to the convention at a time specified in supplemental county party rules or, in the absence of a rule, by direction of the County Chair. If a member cannot attend a meeting, she/he/they may designate a proxy from among the elected delegates from her/his/their ward.

### **3.3 – Platform and Resolutions Committee**

#### **3.3.1 – Members**

Unless otherwise provided by supplemental county party rules, at the time of election of ward officers, each ward shall elect a member to the Committee from among the qualified ward electors (Article I, Rule 5.5). Members need not be County Central Committee members, although such members may be members of this Committee.

Committee members are officers of their ward and shall serve until a new election of ward officers is held. A new Committee shall not be elected at ward meetings preceding a convention. Membership on the Committee is not subject to the requirement of equal division of men and women.

#### **3.3.2 – Chair**

The County Chair shall appoint a Chair of the Committee from among the members. The Committee Chair shall participate in the proceedings of the Committee, including the making of motions and voting, and shall be counted in determining the quorum (Article I, Section 6).

#### **3.3.3 – Secretary**

The Committee Chair shall appoint a Secretary.

#### **3.3.4 – Powers and Authority**

The Committee shall consider resolutions and platform planks reported to it from ward/precinct meetings and formulate resolutions for presentation to the County Central Committee, and resolutions and platform planks to a convention.

#### **3.3.5 – Meetings**

The Committee shall meet prior to each County Central Committee or convention at a time specified in supplemental county party rules or, in the absence of a rule, by direction of the County Chair. If a member cannot attend a meeting, she/he/they may designate a proxy from among the qualified electors from her/his/their ward.

### **Section 4 – County Officers**

#### **4.1 – Election of County Officers**

The County Chair shall call a meeting of the County Central Committee pursuant to the call issued by the State Chair for the selection of county officers and State Central Committee members. Publication of notice shall be according to Article I, Rule 3.4.2.1.

Officers in order of rank are:

- (a) Chair,
- (b) a First Vice-Chair of a different gender than that of the Chair,
- (c) if supplemental county party rules provide, a Second Vice-Chair of a different gender than that of the First Vice-Chair,
- (d) Secretary,
- (e) Treasurer, and
- (f) such other officers as provided for in the supplemental county party rules.

The County Central Committee shall elect the Chair and Vice-Chair. The Chair shall appoint a Secretary and Treasurer.

None of the officers need to be members of the County Central Committee prior to being selected. The officers shall serve for two years or until their successors are elected or appointed. All voting for officers shall be conducted by non-secret ballot according to Article I, Rule 5.5.2.1.

#### **4.2 – Election of Other Officers as Needed**

The County Central Committee shall be empowered to elect other officers as needed following the publication of notice according to Article I, Rule 3.4.2.1.

If an officer shall be responsible for a political subdivision (such as a County Commissioner district) consisting of a subset of precincts of the county, then only those County Central Committee members residing in that political subdivision shall be eligible to vote.

If an officer shall be responsible for representing either all of the county or a peer group (such as labor or veterans), then elections shall be done at large with the entire County Central Committee eligible to vote.

All candidates nominated for an office shall be members of the political subdivision or peer group as appropriate. Voting for each of these officers shall be conducted by non-secret ballot according to Article I, Rule 5.5.2.1.

Each officer shall serve for two years or less if her/his/their duties are completed. At the end of two years, the County Central Committee shall decide whether each officer is still needed or not. Each officer shall perform such duties as are fitting for her/his/their title and as assigned by the County Chair.

Each of these officers is not a member of the County Executive committee unless the supplemental county party rules or County Central Committee directs otherwise. Each officer shall report as directed by the County Chair or the County Executive committee.

### **4.3 – Challenges**

A challenge to a county's election of State Central Committee Members or county officers shall be made in the same manner as challenges to the election of delegates and alternate delegates to the State Convention as provided in Article II, Rule 4.2.2. The Judicial Council shall adjudicate the challenge.

### **4.4 – Powers and Duties of County Officers**

#### **4.4.1 – County Chair**

The County Chair shall:

- be the chief executive of the County Party.
- preside over all meetings of the County Central Committee and the County Executive Committee and shall participate in the proceedings of all other committees including the making of motions and voting unless otherwise stated in these DPNM Rules.  
She/he/they shall not be counted in determining the quorum (Article I, Section 6) of any committee, nor count as one of the specified number of committee members, unless otherwise stated in these DPNM Rules.
- have general management of all County Party affairs and county election campaigns.
- have the power to appoint any committees which the Chair deems necessary or which the County Central Committee may authorize.
- allocate the County Central Committee in accordance with Article III, Rule 2.3.3.
- refrain from using her/his/their office to advance the cause of any individual candidate, including her/him/themself, for office in the Democratic Primary Election.
- appoint ward and/or precinct officers and County Central Committee members when new precincts or wards are created in accordance with New Mexico law and applicable DPNM Rules (Article IV, Rule 5.4).

#### **4.4.2 – Vice Chair(s)**

The First Vice-Chair shall perform all duties assigned by the Chair and shall perform the duties of the Chair in her/his/their absence.

The Second Vice-Chair (when such position is provided for in supplemental county party rules) shall perform all duties assigned by the Chair and shall perform the duties of the First Vice-Chair in her/his/their absence.

County Vice Chairs shall refrain from using their office to advance the cause of any individual candidate including themselves for office in the Democratic Primary Election.



**4.4.3 – Secretary**

The Secretary shall:

- record and preserve the minutes of all meetings of the County Central Committee.
- keep records of the County Conventions and of the County Executive Committee and shall perform other duties that may be required by these bodies.

The County Chair may appoint an Assistant Secretary.

**4.4.4 – Treasurer**

The Treasurer shall:

- perform such duties as may be required by the Chair and by law.
- keep full and accurate accounts of all receipts and expenditures subject to the supervision and control of the County Central Committee, and make such accounts available for examination by all registered Democrats in the county upon request.
- administer and assist in the preparation of the budget authorized by the County Central Committee and shall deposit all monies in a bank designated by the County Central Committee or the County Chair.
- present a financial report to the County Central Committee at each of its meetings.

The County Chair may appoint an Assistant Treasurer.

**4.5 – Removal of County Officers and State Central Committee Members****4.5.1 – Reasons**

Any County Officer or County member of the State Central Committee may be removed from such office for any of the following reasons:

- intentional conduct in violation of these DPNM Rules or the law
- nonfeasance
- aiding or supporting any political party other than the Democratic Party
- aiding or supporting any candidate opposing a nominee of the Democratic Party
- conviction of a felony

**4.5.2 – Procedures for Removal**

Any County Officer or member of the State Central Committee shall be removed under the following procedure:

1. A written petition shall be filed by any registered Democrat(s) in the county with the County Central Committee.

The original petition shall be delivered to the highest ranking officer of the County Central Committee not named in the petition.

A copy of the petition shall be delivered to the county officer or county member of the State Central Committee who is named as violator in the petition

2. The petition shall name the alleged and specify the conduct constituting the alleged violation.

It shall be signed by the petitioner and shall be delivered at least fifteen (15) days prior to any regularly scheduled County Central Committee meeting.

3. The officer receiving the original petition shall present the petition or a copy thereof to the County Central Committee at its next meeting.

If no County Central Committee meeting is scheduled, the officer shall call for one to be held within forty-five (45) days from the date of delivery of the original petition to the officer.

4. After a hearing, the County Central Committee shall vote by non-secret ballot to determine if a violation has occurred.

For purposes of this vote a quorum shall be a majority of the entire membership. The County Central Committee shall decide by a two-thirds (2/3) vote of all members present.

No proxies shall be permitted in determining a quorum or in voting.

If the County Central Committee determines that a violation has occurred, the officer or State Central Committee member shall be considered removed.

5. Upon the removal of an officer or State Central Committee member, the office shall be declared vacant and filled in the manner as provided in Article III, Rule 4.6.

## **4.6 – Vacancies in County Offices and State Central Committee**

### **4.6.1 – Causes of Vacancies**

A vacancy exists in a county office or in the State Central Committee when the officer or committee member:

- is removed in accordance with Article III, Rule 4.5 or
- ceases to reside in the county from which the person was elected or
- resigns or dies

or when the office in question had not been filled initially at the scheduled election.

**4.6.1.1 – Vacancy in State Central Committee**

A vacancy may also occur in the State Central Committee, if supplemental county party rules so provide, if a State Central Committee member fails to attend more than one State Central Committee meeting without issuing a proxy. In such cases, supplemental county party rules shall govern the procedures for removal.

**4.6.2 – County Chair or First Vice-Chair**

If a vacancy exists in the office of County Chair or First Vice-Chair, the highest-ranking county officer shall call a meeting of the County Central Committee within sixty (60) days to fill the vacancy, which shall be filled only by election rather than by automatic succession.

In the case of a vacancy in the position of Chair or (First) Vice Chair:

- if the newly elected Chair is of the same gender as the incumbent (First) Vice Chair, or
- if the newly elected (First) Vice Chair is of the same gender as the incumbent Chair,

the gender balance requirements of Article III, Rule 4.1 will be waived to allow both the newly elected officer and the incumbent officer to serve the remainder of the term.

**4.6.3 – Second Vice Chair, Secretary, or Treasurer**

If a vacancy exists in the office of Second Vice-Chair, Secretary, or Treasurer, the Chair shall appoint a replacement within thirty (30) days.

**4.6.4 - Vacancy in a County State Central Committee Delegation**

If a vacancy exists in the county party's State Central Committee (SCC) delegation, the County Chair shall appoint a new SCC member to fill the vacancy. The appointed SCC member shall be the next eligible person in the county party pool of SCC Alternates. (Eligibility is determined by CD subdivision, gender, and rank order.)

SCC Alternates are those people who were candidates in the initial county party election of SCC members who received votes but who were not declared elected.

When making the appointment of an SCC Alternate to fill a vacancy, the County Chair shall choose the highest-ranked SCC Alternate whose membership on the SCC will preserve gender balance in the county party's CD subdivision (if one exists) and in the complete county party SCC delegation.

**4.6.4.1 – Preserving Gender Balance in the County Party's SCC Delegation**

Gender balance in a county party's SCC delegation is defined as a variance of no more than one (1) between men and women in the delegation. For a county with more than one congressional district (CD), the SCC delegation is subdivided by CD.

Gender balance shall be preserved in each CD subdivision of the SCC and in the complete county party SCC delegation. (See Article I, Rule 3.4.6 and Article II, Rules 1.2.2.2 and 1.2.2.3)

#### **4.6.4.2 – Determining Rank Order of SCC Alternates**

SCC Alternates are ranked in descending order by the number of votes they received in the initial county party election of SCC members. The SCC Alternate who received the highest number of votes shall be ranked as the first SCC Alternate, and the one who received the lowest number of votes shall be ranked as the last SCC Alternate.

If two or more SCC Alternates received the same number of votes in the initial county party election of SCC members, those Alternates shall be assigned a rank order number by a drawing of lots as soon as the county party election has been certified.

The number of SCC Alternates on the rank-ordered list will be limited to the greater of ten (10) or of twenty percent (20%) of the number of members of the county's State Central Committee delegation.

#### **4.6.4.3 – Election by County Central Committee**

If the list of SCC Alternates of eligible genders has been exhausted, the County Chair shall call a meeting of the County Central Committee within sixty (60) days to fill the vacancies for the unexpired terms according to Article II, Rule 1.2.2.2 and Article II, Rule 1.2.2.3.

SCC Alternates of eligible gender(s) are those whose appointment to the vacancy would preserve the gender balance, as defined in Article III, Rule 4.6.4.1.

### **4.7 – County Executive Committee**

The County Central Committee may delegate authority for the conduct of business to a County Executive Committee composed of all the Ward Chairs plus additional county officers as permitted by supplemental county party rules. The County Chair shall preside at meetings of the Committee, at which she/he/they may make motions and vote and be counted in determining the quorum (Article I, Section 6). Voting by proxy is prohibited.

## **Section 5 – County Conventions**

### **5.1 – Call**

As directed by a state call, the County Chair shall issue a call (Article III, Rule 1.1) for a County Convention to be held at a suitable public place on the date and at a time set by the State Chair, and shall fix a uniformly proportional number of delegates from each ward, based on a formula consistent with the election of additional County Central Committee members as provided in Article III, Rule 2.3.

Publication of notice shall be according to Article I, Rule 3.4.2.1.

Only the State Chair may reschedule a state-called County Convention for a particular county if participation would be significantly improved.

County-called conventions, for consideration of county matters, may be called by the County Chair or by written petition of at least two-thirds (2/3) of a county's Ward Chairs (or Precinct Chairs where wards do not exist). The scheduling shall be determined by supplemental county party rules. A County Convention call may be amended only by a three-fourths (3/4) vote of the convention.

## **5.2 – Purpose**

County Conventions shall elect delegates to State Conventions, including Pre-Primary Election Nominating Conventions and Post-Primary Election Conventions, adopt resolutions, adopt or amend supplemental county party rules, and conduct other business pertaining to the county as provided for in the call.

If permitted by supplemental county party rules, all County Convention delegates selected at the ward level may, at the County Convention, be certified to be delegates to a forthcoming State Convention without standing for formal election at the County Convention.

## **5.3 – Delegates**

### **5.3.1 – Certification**

Where delegates have been elected at ward, the County Secretary shall certify the names and addresses of the delegates from their respective wards.

The certification shall be delivered to the County Chair and the chair of the Convention Credentials and Rules Committee, at least twenty-four (24) hours before the County Convention convenes, or such earlier time as supplemental county party rules may provide.

### **5.3.2 – Challenges**

A challenge to a ward's delegates or alternate delegates may be issued only by a registered Democrat within that ward. Any challenge to the certified delegates and alternate delegates to a County Convention shall be made in writing and delivered to the County Chair or any of the Vice-Chairs at least twenty-four (24) hours prior to the convention or such earlier time as supplemental county party rules may provide.

Challenges shall be referred to the Convention Credentials and Rules Committee. The challenge shall specify the charges and identify by name and address the challengers and those challenged.

#### **5.3.2.1 – Adjudication of Challenges**

If challenges have been filed, the Convention Credentials and Rules Committee shall convene no more than twenty-four (24) hours before the convention at a site designated by the County Chair with notice to all affected parties.

After the hearing, the Committee shall report to the convention the names and addresses of delegates and alternate delegates who it believes are entitled to participate in the convention.

No challenged delegation may vote upon its own challenge when the convention considers the report of the Committee. Each challenge, recommendation, and minority report of the Committee shall be considered separately.

### **5.4 – Order of Business**

The order of business shall be set by the call and is suggested as follows:

1. Call to order by the County Chair
2. Reading of the call
3. Report of the Credentials Committee and convention vote thereon
4. Introduction of temporary officers of the convention selected by the County Chair and election of permanent officers of the convention
5. Reports of all committees and votes thereon
6. Adoption of a platform, if the convention is a Pre-Primary Election Nominating Convention
7. Selection of delegates and alternate delegates to a State Convention, if required
8. Other business
9. Adjournment

### **5.5 – Voting**

#### **5.5.1 – Credentials**

An accredited participant in the convention may, after having appeared at the convention and having established credentials, give said credentials to another accredited participant from the same ward, provided that no person may hold more than three (3) credentials plus their own at one time.

#### **5.5.2 – Elections**

In the election of delegates and alternate delegates to a state convention, except when delegates and alternate delegates elected at the ward level are merely certified at a County Convention to be delegates and alternate delegates to a state convention, non-secret voting shall be conducted according to Appendix A.

The election of delegates and alternates is not subject to the requirement of equal division of men and women (Article I, Rule 3.4.6).

### **5.5.3 – Alternate Delegates**

An alternate delegate elected to a County Convention may vote if the alternate delegate has been designated by a delegate, elected or automatic, who is from the same ward and is absent from the convention. The delegate is free to designate an alternate delegate of the delegate's choice.

If delegates are absent and have not designated alternate delegates, the alternate delegates shall fill the delegates' positions according to Article II, Rule 4.1.3.2.

If the rank ordering of alternate delegates at a County Convention is not determinable, then vacancies that exist for which there have been no designations by the delegates shall be filled by the drawing of lots.

### **5.6 – Minority Reports**

Upon the vote of ten percent (10%) of the delegates to a convention or members of a committee, a minority report shall be presented to the convention.

### **5.7 – Distribution of Materials**

No printed matter shall be distributed at a convention unless it bears the name(s) of the author(s).

## **Section 6 – County-Level Democratic Caucuses and Affiliated Organizations**

### **6.1 – Definition**

A DPNM County Caucus or affiliated organization is a group of ten (10) or more individuals registered as Democrats in the State of New Mexico and domiciled within the county in which the proposed Caucus or affiliated organization is based, who are united in a cause or in a group of issues that reflect, embody, or support the goals, beliefs, and values of the DPNM and the Democratic Party of the United States.

### **6.2 – Authorization of County-Level Caucuses and Affiliated Organizations**

A county-wide organization wishing to be identified as a DPNM County Caucus or affiliated organization may do so only upon:

### **6.2.1 – Bylaws Approved**

Confirmation by the County Rules Committee with majority vote that the proposed Caucus or affiliated organization has submitted proposed Bylaws that are consistent with this Rule; and

### **6.2.2 – Bylaws Received by County Central Committee**

Confirmation by the County Central Committee that it has received the Bylaws approved by the County Rules Committee; and

### **6.2.3 – Approved by the CCC**

Approval by the County Central Committee with two-thirds vote that the proposed Caucus or affiliated organization meets the definition of a DPNM County Caucus or affiliated organization.

### **6.2.4 – Existing Organizations Retain Authorization**

Any organization already authorized as a DPNM County Caucus or affiliated organization as of the date of passage of this rule (10/13/2018) will retain that authorization, provided that the Caucus or affiliated organization meets the membership requirements (Article III, Rule 6.5) and reporting requirements (Article III, Rule 6.6) within 15 months of the date of passage of this rule (by 1/13/2020).

When all County Caucuses and affiliated organizations are in compliance with Article III, Section 6, or have been terminated due to lack of compliance, this Rule 6.2.4 will be deleted.

## **6.3 – Voting Member on the CCC**

### **6.3.1 – Number of Voting Positions**

Upon approval by the County Central Committee, the Caucus or affiliated organization will receive two voting positions on the County Central Committee, unless provided otherwise by supplemental county party rules.

### **6.3.2 – Existing Organizations Attain or Retain CCC Voting Membership**

Any organization already authorized as a DPNM County Caucus or affiliated organization as of the date of passage of this rule (10/13/2018) will retain or attain voting positions on the CCC, provided that the Caucus or affiliated organization meets the membership requirements (Article III, Rule 6.5) and reporting requirements (Article III, Rule 6.6) within 15 months of the date of passage of this rule (by 1/13/2020).



When all DPNM County Caucuses and affiliated organizations are in compliance with Article III, Section 6, or have been terminated due to lack of compliance, this Rule 6.3.2 will be deleted.

## **6.4 – Bylaws**

The Bylaws for any DPNM County Caucus or affiliated organization formed or authorized after the date of passage of this rule must include, at a minimum, the following sections:

### **6.4.1 – Mission Statement**

A Mission Statement must reflect, embody, or support the goals, beliefs, and values of the county Democratic Party, the DPNM, and the Democratic Party of the United States.

### **6.4.2 – Membership**

The Membership section must provide a description of who can be a member, according to the membership requirements of this Rule (Article III, Rule 6.5), including a dues requirement if applicable.

### **6.4.3 – Leadership Structure**

Leadership structure must include a President or Chair, a Vice-President or Vice-Chair, a Secretary, and a Treasurer. The Bylaws must define the roles of each office, the procedure for elections of officers and filling vacancies, and the term of office. These positions must be filled by the time the County Central Committee reviews the Bylaws.

### **6.4.4 – Reporting**

The Bylaws must define a process by which to fulfill the reporting requirements of this Rule and must designate the Officer or Officers who shall be responsible for reporting.

## **6.5 – Membership Requirements**

In order to attain and retain status with the DPNM as an authorized County Caucus or affiliated organization, the Caucus or affiliated organization must maintain a minimum of the (10) members domiciled in the county in which the Caucus or affiliated organization is based. All members must be individuals registered as Democrats in the State of New Mexico.

## **6.6 – Reporting Requirements**

In order to attain and retain status with the DPNM as an authorized County Caucus or affiliated organization, the Caucus or affiliated organization must file a Report with the Secretary of the County Party twice a year – on or before January 31 and July 31 – listing its members and their addresses and confirming its active status by reciting its activities in the preceding six months which were in fulfillment of its Mission Statement or Purpose.

## **6.7 – Termination of County-Level Caucus or Affiliated Organization**

### **6.7.1 – Written Warning**

If a Caucus or affiliated organization fails to file two (2) consecutive required reports, the Secretary of the County Party shall issue a written warning to the Caucus or affiliated organization at least three months before the third report is due that its status as an authorized County Caucus or affiliated organization is in danger of termination if it does not file the third report due.

### **6.7.2 – Termination**

If a Caucus or affiliated organization fails to file three (3) consecutive required reports and the County Secretary has issued a warning to the Caucus or affiliated organization, then the County Secretary can terminate the Caucus or affiliated organization's affiliation with the County Democratic Party.

### **6.7.3 – Restoring Good Standing**

Before a Caucus or affiliated organization can restore its good standing with the County Party, all missing required reports for the Caucus or affiliated organization must retroactively be filed with the County Secretary.

## **ARTICLE IV – WARD AND PRECINCT ORGANIZATION**

### **Section 1 – Requirement to Organize by Wards as Well as Precincts**

All county parties are required to establish a ward structure to make these DPNM Rules more manageable for them and for the state party's administration.

- Where the county population is less than one half of one percent (0.5%) of the state's total population, county parties may implement a single-ward concept, where the ward consists of the entire county.
- Where the county population is equal to or greater than one half of one percent (0.5%) of the state's total population, county parties shall divide their county equitably into at least two, and preferably more, distinct wards.

County parties may choose to divide according to a concept that works for them, but the division must be approved by the State Chair. Possible division concepts include, but are not limited to:

- State Representative Districts or a subdivision thereof
- State Senate Districts or a subdivision thereof
- School Board Districts or a subdivision thereof
- County Commission Districts or a subdivision thereof

In developing their ward structure, county parties should strive for reasonable size equity based either on population or Democratic registration. Consideration should be given to natural boundaries (mountains, rivers, etc.), infrastructure limitations (roads, bridges, etc.) and communities of interest. Individual precincts shall not be split between wards.

This existence of a ward structure does not preclude any county from establishing additional layers of administration that may work well for them (e.g. District Directors).

### **Section 2 – Election of Ward Officers and County Central Committee Members**

The County Chair shall call a meeting of the ward, pursuant to the call of the State Chair, for the selection of ward officers who, in order of rank, are:

- (a) Chair
- (b) Vice-Chair
- (c) Secretary, and
- (d) Treasurer.

Publication of notice shall be according to Article I, Rule 3.4.2.1. Qualified electors of the ward shall elect the ward officer(s). County Central Committee members shall also be elected at this meeting.

If a County Chair determines for good cause that precinct, ward, and County Central Committee meetings should not be held separately as provided in the call of the State Chair, then such

meetings may be held the same date and place as the scheduled County Central Committee meeting, with the approval of the State Chair.

The election of ward officers and County Central Committee members is not subject to the requirement of equal division of men and women (Article I, Rule 3.4.6).

## **Section 3 – Officers – Powers and Duties**

### **3.1 – Ward Chair**

The Ward Chair shall:

1. be the chief executive of the ward.
2. preside over all ward meetings and shall participate in the proceedings of all ward committees including the making of motions and voting unless otherwise stated in these DPNM Rules. She/he/they shall not be counted in determining the quorum (Article I, Section 6) of any committee, nor count as one of the specified number of committee members, unless otherwise stated in these DPNM Rules.
3. have general management of all ward affairs and election campaigns at the ward level.
4. have the power to appoint committees.
5. express a personal preference for candidates in the Democratic Primary Election if she/he/they so desire.
6. participate, as a member of the County Executive Committee (Article III, Rule 4.7), in the appointment of ward and/or precinct officers and County Central Committee members when new precincts or wards are created in accordance with New Mexico law and applicable Democratic Party Rules (Article IV, Rule 5.4).

### **3.2 – Ward Vice Chair**

The Vice-Chair shall perform all duties assigned by the Chair and perform the duties of the Chair in the Chair's absence.

### **3.3 – Ward Secretary**

The Secretary shall:

1. record and preserve the minutes of all meetings of the ward, such minutes to include the names and addresses of all persons elected at the meetings.
2. deliver a copy of such minutes to the County Secretary.
3. perform all duties assigned by the Chair and as otherwise provided in these DPNM Rules.

### **3.4 – Ward Treasurer**

The Treasurer shall:

1. keep full and accurate accounts of all receipts and expenditures and make such accounts available for examination by all registered Democrats in the ward upon request.
2. present a financial report to the ward at each of its meetings.
3. perform all duties assigned by the Chair.

## **Section 4 – Removal of Ward/Precinct Officers and County Central Committee Members**

### **4.1 – Reasons for Removal**

Any ward officer or County Central Committee member may be removed from office for any of the following reasons:

1. intentional conduct in violation of these DPNM Rules
2. nonfeasance
3. aiding or supporting any political party other than the Democratic Party
4. aiding or supporting any candidate opposing a nominee of the Democratic Party
5. conviction of a felony

### **4.2 – Procedures for Removal**

A ward officer or County Central Committee member shall be removed under the following procedures:

1. A written petition shall be filed by any registered Democrat(s) in the ward with the County Credentials/Rules Revision Committee by delivery of the original petition to the County Chair, with a copy to the officer or committee member named as violator in the petition.
2. The petition shall name the alleged violator, specifying the conduct constituting the violation, and shall be signed by the petitioner(s).
3. The County Chair shall call a meeting of the County Credentials/Rules Revision Committee within thirty (30) days to consider the petition.
4. After a hearing the County Credentials/Rules Revision Committee shall vote to determine if a violation has occurred.

For purposes of this vote, a quorum shall be a majority of the entire committee membership.

The County Credentials/Rules Revision Committee shall decide by a two-thirds (2/3) vote of all members present. No proxies shall be permitted in determining the quorum or in voting.

5. If the County Credentials/Rules Revision Committee decides that a violation has occurred, the officer or County Central Committee member shall be considered removed.
6. Upon the removal of an officer or County Central Committee member the office shall be declared vacant and filled in the manner as provided in Article IV, Section 5.

## **Section 5 – Vacancies in Ward or Precinct Offices or on the County Central Committee**

### **5.1 – Causes of Vacancies**

A vacancy exists in a ward or precinct office, or on the County Central Committee, when a ward or precinct officer or County Central Committee member does any of the following:

1. is removed in accordance with Article IV, Section 4, or
2. ceases to reside in the respective ward or precinct, or
3. resigns, or
4. dies

or when the office in question was not filled initially at the scheduled election.

### **5.2 – Filling a Vacancy in a Ward or Precinct Chair**

**Ward Chair:** If a vacancy exists in the office of Ward Chair, the Ward Vice Chair shall succeed to the office. If there is no Ward Vice Chair, the County Chair shall appoint a Ward Chair to fill the vacancy.

**Precinct Chair:** If a vacancy exists in the office of Precinct Chair, the Precinct Vice Chair shall succeed to the office. If there is no Precinct Vice Chair, the Ward Chair shall appoint a Precinct Chair to fill the vacancy. If there is no Ward Chair, the County Chair shall appoint a Precinct Chair.

**Term and Requirements:** Appointments to fill vacancies shall be for the unexpired term. Appointed Chairs must meet the residency requirements of paragraph 2 of the Preamble.

### **5.3 – Filling Vacancies in Other Ward or Precinct Offices**

If a vacancy exists in the County Central Committee, or in any other ward or precinct office besides the Chair, the Ward Chair shall make an appointment to fill the vacancy within thirty (30) days. (See Article IV, Rule 5.2 for filling vacancies in the office of Ward or Precinct Chair.)

If the Ward Chair does not fill the vacancy, or if there is no Ward Chair, the County Chair shall make an appointment to fill the vacancy.

Appointments to fill vacancies shall be for the unexpired term. Appointed officers or County Central Committee members must meet the residency requirements of paragraph 2 of the Preamble.

## **5.4 – Appointing Officers for New Wards/Precincts**

### **5.4.1 – Wards**

If new wards are created, the County Chair shall appoint the officers of the new wards. Realignment or creation of a new ward structure and/or the creation of new wards, as well as the filling of any new officer positions, is subject to approval by a majority vote of the County Central Committee.

### **5.4.2 – Precincts**

When new precincts are created in a county in accordance with New Mexico law, precinct officers shall be appointed by the Ward Chair within thirty (30) days; if not, by the County Chair.

### **5.4.3 – County Central Committee Members and Delegates from New Precincts**

Positions on the County Central Committee and Delegates to a Convention are normally allocated based on calculations using the average of the number of votes for the Democratic Party's candidates for Governor and for President in the previous two General Elections (Article III, Rule 2.3.3 and Rule 5.1). When new precincts are created, there is no data that can be used for those calculations, with complete data unavailable for a period of up to two (2) years.

- A. When no election performance data is available, then a previously existing precinct that has been split into multiple precincts will meet as one precinct to elect the original precinct's allocated County Central Committee members or Delegates (per Article III, Rule 2.3.3 and Rule 5.1) on an at-large basis, with the multiple precinct chairs serving as co-chairs at the meeting.
- B. When election performance data for only the previous General Election is available, the allocation for the original precinct will be calculated (per Article III, Rule 2.3.3 and Rule 5.1) and that number will then be divided among the multiple precincts equitably, based on the results of the previous General Election.

## **Section 6 – Ward Meetings**

### **6.1 – Call for Ward Meetings**

The County Chair shall issue a call for ward meetings to be held at suitable public places before the County Central Committee meeting.

The call shall be furnished to each Ward Chair and Vice-Chair at least fifteen (15) days in advance of the meeting. The call shall specify the date, hour, place (including registration and login information for virtual meetings), and purpose of each ward meeting.

Publication of notice shall be according to Article I, Rule 3.4.2.1.

If the purpose includes election of delegates and alternates to a convention, the call shall specify the number of delegates to which each ward is entitled on the basis of a formula giving equal weight to the vote for Democratic candidates in the most recent presidential and gubernatorial elections as specified in these DPNM Rules.

The election of delegates and alternates is not subject to the requirement of equal division of men and women (Article I, Rule 3.4.6).

A ward meeting may be called by the Ward Chair for consideration of matters pertaining to the ward.

## **6.2 – Place of Ward Meeting**

A ward meeting shall be held in a public building located within the ward, if possible. The County Chair shall have the authority to designate clusters of wards to co-locate ward meetings if greater efficiency and economy are likely.

## **6.3 – Conduct of Ward Meetings**

### **6.3.1 – Convening**

A minimum of two electors is required for a meeting to be convened. The meeting shall be called to order by the Chair, or in the Chair's absence or upon the Chair's refusal to act, by the Vice-Chair, Secretary, or Treasurer.

If none of the above officers is present, any elector of the ward may convene the meeting.

### **6.3.2 – Presiding Chair**

The Ward Chair shall be the presiding officer of the ward meeting except that the chair shall give the electors the opportunity to elect an acting chair.

### **6.3.3 – Order of Business**

The order of business, as applicable, for any ward meeting shall be:

1. Call to order.
2. Reading of the call.
3. Election of acting chair if requested.
4. Appointment of Credentials Committee and presentation of challenges.
5. Report of Credentials Committee and vote thereon.



6. Election of ward officers and County Central Committee members, or election of delegates to a County Convention when either is required.
7. Adoption of resolutions if required or desired.
8. Remaining business for which the meeting is called.
9. Adjournment.

## **Section 7 – Voting**

### **7.1 – Proxy**

Voting by proxy is prohibited.

### **7.2 – Method**

In selecting members of the County Central Committee, or delegates and alternate delegates to a County Convention, the ballots shall be counted according to Article I, Rule 5.4 and Article I, Rule 5.5.1.2.

The balloting shall be secret unless waived by unanimous consent.

### **7.3 – Ballots**

Prior to the beginning of the meeting, the Chair shall appoint checkers to verify that the persons present are qualified electors (Paragraph 2 of this document's Preamble). Each elector shall be verified during the meeting. No ballots or other identification shall be issued prior to the time of check-in at the meeting.

In the election of ward and/or precinct officers, convention delegates and alternate delegates, and other County Central Committee members, no ballots shall be cast until the report of the credentials committee has been voted upon, except as provided in Article IV, Section 8.

### **7.4 – Challenged Voters**

Persons who are challenged as electors shall have the right to appear before a Credentials Committee appointed by the acting chair of the meeting. The Credentials Committee shall consist of two or more ward electors, and shall hear any challenge to the voting qualifications of any person present.

No sooner than thirty minutes after the start of the meeting, the Credentials Committee shall report its findings and recommendations to the electors who shall vote to accept or reject each recommendation.

Those persons accepted by the electors shall be issued ballots or identification. The acting chair shall thereupon announce the total number of sets of ballots or identifications that have been issued, and no more shall be issued.

## **7.5 – Preserving Ballots**

The chair of the meeting shall cause all ballots cast in all elections to be preserved for ninety (90) days after the meeting. Failure to do so shall result in the meeting being re-held if there is a challenge to any election held in the meeting.

## **Section 8 – Observers**

Upon the request of the Ward Chair or two (2) other electors in the ward, the County Chair shall designate an impartial observer from another ward to assist in the conduct of the ward meeting.

The designated observer may vote in the observer's own ward meeting by delivering to the Chair of the observer's ward prior to the meeting the observer's ballot concerning all matters specified in the call.

## **Section 9 – Election of Ward/Precinct Offices, County Central Committee Members, and Delegates**

### **9.1 – Order of Elections**

Election of Precinct, Ward, and County Central Committee members will be held in the following order:

1. Ward Officers
2. Precinct Officers
3. Precinct County Central Committee members, up to the precinct's allotted number of members

### **9.2 – Ward Elections**

#### **9.2.1 – Election of Ward Officers**

Ward elections shall be held according to Article I, Rule 5.4 and Article I, Rule 5.5. Ward elections will be decided by majority vote. Voting shall be by secret ballot, which may be waived only by unanimous consent.

Nominations and elections of Ward Officers shall be in order of descending rank: Chair, Vice-Chair, Secretary, Treasurer, and Standing Committee members.

The elected Ward Chair is an automatic member of the County Central Committee. The Ward Chair's seat on the County Central Committee will not count against the total number of seats allocated to the Precinct the Chair is from.

The election of ward officers is not subject to the requirement of equal division of men and women.

## 9.3 – Precinct Elections

### 9.3.1 – Election of Precinct Officers

Election of Precinct Officers shall be held as the first order of business when the Precinct meets for the purpose of holding elections. Elections shall be decided by majority vote (Article I, Rule 5.1). Voting shall be by secret ballot, which may be waived only by unanimous consent (Article I, Rule 5.4).

Nominations and elections shall be in order of descending rank: Chair, Vice-Chair, Secretary, Treasurer and Standing Committee members.

The elected Precinct Chair is an automatic member of the County Central Committee. Election of Precinct Officers does not require equal division of men and women.

### 9.3.2 – Election of Central Committee Members

**County Central Committee Members** – Based on Article III, Rule 2.3, the calculation of each precinct's allocation of County Central Committee members could result in one of three possible scenarios.

The method for electing County Central Committee members to positions in each of those three scenarios is as follows:

1. If a precinct is entitled to only one County Central Committee member, then the precinct chair will be the precinct's sole representative on the County Central Committee.
2. If a precinct is entitled to two County Central Committee members, then the precinct chair and the one additional County Central Committee member will be elected in two separate elections, with the precinct chair being elected first.

Both elections will be conducted using single-line secret ballots, in accordance with Article I, Rule 5.5.1.1.

3. If a precinct is entitled to three or more County Central Committee members, then the precinct chair will be elected first, using a single-line secret ballot, in accordance with Article I, Rule 5.5.1.1.

After the precinct chair is elected, the additional County Central Committee members will be elected using multi-line secret ballots (Appendix A) in accordance with Article I, Rule 5.5.1.2.

**Precinct Chair** – The membership of the Precinct Chair on the County Central Committee is included in the total number of members allotted to the precinct.

The votes for precinct chair and additional CCC members from the precinct by secret ballot may be waived only by unanimous consent if, and only if, the number of candidates for a given position is less than or equal to the number of positions to be filled.

Election of precinct chairs and additional County Central Committee members does not require equal division of men and women.

### **9.3.3 – Election of County Convention Delegates**

With the exception of county- and state-certified automatic delegates (Article II, Rule 4.1.3.3) all delegates to a County Convention at the ward level will be elected using Appendix A voting (proportional representation) with a secret multi-line ballot.

## **Section 10 – Violation of Rules**

If these DPNM Rules, or the supplemental county party rules, are violated at a ward meeting, and such violation(s) are of a nature as to materially change the outcome of the meeting, the meeting shall be re-held under the supervision of unbiased representatives of the County Central Committee appointed by the County Chair.

## **Section 11 – Failure to Hold Ward or Precinct Meeting**

If a ward or precinct meeting is not held pursuant to a call to elect ward or precinct officers and County Central Committee members, the County Chair shall reschedule one. If the meeting is again not held, the County Central Committee shall elect the officers and members according to Article I, Rule 5.5.1.1 and/or Article I, Rule 5.5.1.2.

If a ward fails to hold a meeting pursuant to a call to elect convention delegates, the County Chair shall reschedule one. If the meeting is again not held, no delegates shall be elected from that ward. However, any automatic delegates from that ward shall be entitled to participate in the convention.

## APPENDIX A – PROPORTIONAL REPRESENTATION BY PREFERENTIAL BALLOTING

### Proportional Representation By Preferential Balloting

This appendix describes the method for implementing Article I, Rules 5.5.1.2 and 5.5.2.2 (both titled *Elections; More than One Person to be Elected to Office*).

Proportional representation (Article I, Section 2) calls for a way of conducting elections that ensures the accommodation of different points of view in proportion to the numbers of electors reflecting such viewpoints. The preferential ballot further promotes such fairness.

When more than one person is to be elected to office, the individual candidates need only gather a certain number of votes (the quota) to guarantee election as described in detail below. The allocation number is calculated and announced by the presiding officer for the election of the required number of delegates or committee persons when the total number of electors present is established.

It's recommended that the applicable worksheet that follows this general description be printed out and used during the course of the election process. The worksheets provided are to be used as follows:

- Precinct and Ward Elections to Elect Delegates to a County Convention – Use Appendix A.1
- Precinct Elections to Elect Additional County Central Committee Members – Use Appendix A.2
- County Elections to Elect Delegates to a State Convention – Use Appendix A.3
- County Elections to Elect Members of the State Central Committee – Use Appendix A.4
- State Elections to Elect Members of a Standing Committee – Use Appendix A.5
- State Elections to Elect Delegates to a National Convention – Use Appendix A.5 or use Appendix A.6, dependent on the wording of the Delegate Selection Plan

### Establishing the Quota

The quota is the number of votes required for a candidate to be automatically elected. It's established by applying some very basic math to two variable values that must be determined before the election process begins.

- The first variable is the number of positions to be filled. That value is set by the allocation for the unit that is holding the election and is established by the appropriate DPNM Rule.
- The second variable is the number of ballots that have been issued to the electors.

The worksheets provided (Appendix A.1 through Appendix A.6) will guide the person directing the election through the math that's involved, but what occurs is a value of one is added to the number of positions to be filled and the resulting number is divided into the number of ballots to be issued.

Once that result is obtained, the quota is the next higher whole number.

- If the result of the division is a whole number, one (1) must be added to the result to establish the quota.
- If the result of the division is a decimal number, the quota is established by rounding that result up to the next higher whole number.

Ward or Precinct Number \_\_\_\_\_

**APPENDIX A.1**Precinct and Ward Elections to Elect Delegates to a County Convention

**For the County Chair or County Secretary:** This form should be printed out and copied in sufficient quantities for every ward or precinct that will elect more than one delegate to your convention (in accordance with Article III, Section 5, Rule 5.1) to have a copy. It's recommended that, in order to minimize mistakes, you fill in the appropriate ward/precinct number and lines 1–4 before distributing the forms to the wards/precincts.

Line 1 Enter the ward/precinct's allocation

Line 1 \_\_\_\_\_

Line 2 **IF** your supplemental county party rules include the option of a "pass-through" convention (Article III, Section 5, Rule 5.1)

**AND IF** your supplemental county party rules provide for automatic delegates other than SCC members per Article II, Section 4, Rule 4.1.3.3 (e.g. ward chairs),

**THEN** enter the number of county-certified state delegates from the ward/precinct on line 2.

Otherwise, Line 2 is zero.

Line 2 \_\_\_\_\_

Line 3 Subtract Line 2 from Line 1. This is the number of people that the ward/precinct should elect.

Line 3 \_\_\_\_\_

**NOTE:**

**If the value on Line 3 is "0" the ward/precinct has no additional positions to fill by election.**

**If the value on Line 3 is "1" the ward/precinct should elect one person on a single-line ballot in accordance with Article I, Section 5, Rule 5.5.1.1.**

**If the value on Line 3 is less than 2, do not proceed any further with this worksheet!**

Line 4 Add 1 to Line 3

Line 4 \_\_\_\_\_

Line 5 Enter the number of ballots issued to the electors from the ward/precinct

Line 5 \_\_\_\_\_

Line 6 Divide the value on Line 5 by the value on Line 4

Line 6 \_\_\_\_\_

Line 7 If the value of Line 6 is a whole number, add one (1) to that value.

If the value on Line 6 has a decimal value, round the number up to the next highest whole number.

This is the "quota", or the number of votes that candidates need to obtain to be guaranteed election

Line 7 \_\_\_\_\_

**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD TO THE ELECTORS IN YOUR WARD/PRECINCT!**

“Fill in your ballots with the names of as many candidates as you wish, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

Do not vote for any SCC members or other automatic delegates.”

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 7.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Continue the process until all of the ballots have been drawn.

If there are still positions available after all the ballots have been drawn, those candidates who are one vote short of the quota will be declared elected, unless there are more candidates one vote short of the quota than there are positions to be filled, in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available, those candidates who are two votes short of the quota will be declared elected, unless there are more candidates two votes short of the quota than there are positions to be filled, in which case ties are broken by lot.

Continue until all the positions are filled.

Candidates who receive at least one vote but are not elected will be declared to be alternate delegates.

They should be listed in order of the number of votes received, with ties broken by lot, to obtain a preferential order.

Ward Number \_\_\_\_\_

Precinct Number \_\_\_\_\_

**APPENDIX A.2**Precinct Elections to Elect Additional County Central Committee Members

**For the County Chair or County Secretary:** This form should be printed out and copied in sufficient quantities for every precinct that will elect more than two County Central Committee Members (in accordance with Article III, Rule 2.3) to have a copy. It's recommended that, in order to minimize mistakes, you fill in the appropriate ward and precinct numbers and lines 1-3 before distributing the forms to the wards/precincts.

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Line 1 Enter the precinct's allocation, per the allocation formula Line 1 \_\_\_\_\_

Line 2 Subtract one (1) from the value on Line 1 (for the precinct chair, who is an automatic County Central Committee member). This is the number of people that the precinct should elect. Line 2 \_\_\_\_\_

**NOTE:**

**If the value on Line 2 is "0", the precinct has no additional positions to fill by election.**

**If the value on Line 2 is "1", the precinct should elect one person on a single-line ballot in accordance with Article I, Section 5, Rule 5.5.1.1.**

**If the value on Line 2 is less than 2, do not proceed any further with this worksheet!**

Line 3 Add one (1) to the value on Line 2 Line 3 \_\_\_\_\_

Line 4 Enter the number of ballots issued to the electors from the precinct Line 4 \_\_\_\_\_

Line 5 Divide the value on Line 4 by the value on Line 3 Line 5 \_\_\_\_\_

Line 6 If the value on Line 5 is a whole number, add one (1) to that value.  
If the value on Line 5 has a decimal value, round the number up to the next highest whole number.  
This is the "quota," or the number of votes that a candidate needs to obtain to be guaranteed election.

Line 6 \_\_\_\_\_



**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD TO THE ELECTORS IN YOUR PRECINCT!**

“Fill in your ballots with the names of as many candidates as you wish, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

Do not vote for any SCC members or other automatic delegates.”

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 6.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Continue the process until all of the ballots have been drawn.

If there are still positions available after all the ballots have been drawn, those candidates who are one vote short of the quota will be declared elected, unless there are more candidates one vote short of the quota than there are positions to be filled, in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available, those candidates who are two votes short of the quota will be declared elected, unless there are more candidates two votes short of the quota than there are positions to be filled, in which case ties are broken by lot.

Continue until all the positions are filled.

Candidates who receive at least one vote but are not elected will be declared to be alternate delegates.

They should be listed in order of the number of votes received, with ties broken by lot, to obtain a preferential order.

**APPENDIX A.3**County Elections to Elect Delegates to a State Convention

**For the County Chair or County Secretary:** This form should be printed out and used only by counties that do **NOT** include a provision for a “pass-through” (Article III, Rule 5.2) County Convention in their supplemental county party rules, where all delegates to the County Convention are certified as delegates to the State Convention.

State Central Committee members, whether or not they are delegates to the County Convention, are automatically certified to be delegates to the State Convention, and do not count against the allocation shown on Line 1 below. Gender balance is not required for the election of Delegates to a State Convention.

In counties that have portions of multiple Congressional Districts, separate calculations, worksheets and elections are required, one for each Congressional District.

---

Line 1	Enter the County’s allocation, as calculated by the DPNM staff	Line 1	_____
Line 2	Add one (1) to the value on Line 1	Line 2	_____
Line 3	Enter the number of ballots issued to the electors from the county	Line 3	_____
Line 4	Divide the value on Line 3 by the value on Line 2	Line 4	_____
Line 5	<p>If the value on Line 4 is a whole number, add one (1) to that value.</p> <p>If the value on Line 4 has a decimal value, round the number up to the next highest whole number.</p> <p>This is the “quota,” or the number of votes that a candidate needs to obtain to be guaranteed election.</p>		
		Line 5	_____

**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD  
TO THE DELEGATES AT YOUR COUNTY CONVENTION!**

“Fill in your ballots with the names of as many candidates as you wish, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

Do not vote for any SCC members or other automatic delegates.”

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 5.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Continue the process until all of the ballots have been drawn.

If there are still positions available after all the ballots have been drawn, those candidates who are one short of the quota will be declared elected unless there are more candidates one vote short of the quota than there are positions to be filled, in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available, those candidates who are two votes short of the quota will be declared elected unless there are more candidates two votes short of the quota than there are positions to be filled, in which case ties are broken by lot.

Continue until all the positions are filled.

Candidates who receive at least one vote but are not elected will be declared to be alternate delegates.

They should be listed in order of the number of votes received, with ties broken by lot, to obtain a preferential order.

**APPENDIX A.4**County Elections to Elect Members of the State Central Committee

**For the County Chair or County Secretary:** This form should be printed out and used by ALL counties for the election of their State Central Committee members. Gender balance is required, as described in the instructions below.

In counties that have portions of multiple Congressional Districts, separate calculations, worksheets and elections are required, one for each Congressional District.

---

Line 1	Enter the County's allocation, as calculated per Article II, Rule 1.2.2	Line 1	_____
Line 2	Add one (1) to the value on Line 1	Line 2	_____
Line 3	Enter the number of ballots issued to the electors from the precinct	Line 3	_____
Line 4	Divide the value on Line 3 by the value on Line 2	Line 4	_____
Line 5	If the value on Line 4 is a whole number, add one (1) to that value. If the value on Line 4 has a decimal value, round the number up to the next highest whole number. This is the "quota," or the number of votes that a candidate needs to obtain to be guaranteed election.		
		Line 5	_____
Line 6	Divide the value on Line 1 by two (2)	Line 6	_____
Line 7	If the value on Line 6 is a whole number, write it on Line 7. If the value on Line 6 is a decimal, write the whole number value, without the decimal portion, on Line 7. (To be used to achieve gender balance)		
		Line 7	_____

**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD**  
**TO THE CCC MEMBERS AT YOUR COUNTY CENTRAL COMMITTEE MEETING!**

"Fill in your ballots with the names of as many candidates as you wish, men and women, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

Do not vote for your County Chair, County 1st Vice Chair, or other state-certified automatic SCC Members."

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 5.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Tabulate the results for men and women separately.
7. Once either gender has reached the quantity shown on Line 5, no additional votes for candidates for that gender will be counted.
8. Continue the process until all of the ballots have been drawn.

If there are still positions available, for either or both genders, after all the ballots have been drawn, those candidates who are one short of the quota will be declared elected, unless there are more candidates one vote short of the quota than there are positions to be filled for that gender, in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available for either or both of the genders, those candidates who are two votes short of the quota will be declared elected, unless there are more candidates two votes short of the quota than there are positions to be filled (Line 5), in which case ties are broken by lot.

Continue until all the positions are filled.

If Line 6 was a whole number, no additional SCC members will be elected.

If Line 6 had a decimal value (of 0.5), then there is still one additional member to be elected. The unelected person with the highest number of votes will be declared to be elected.

If there is a tie for the highest number of votes that tie will be broken by lot (e.g. drawing cards) among all of the individuals with that number of votes, regardless of gender.

**APPENDIX A.5**SCC Elections to Elect At-Large Members of SPARC and the Affirmative Action Committee

Also for Election of National Delegates if gender balance within one election  
is called for by the Delegate Selection Plan

**For the State Party Staff:** This form should be printed out and used at SCC meetings for the election of at-large members of SPARC and the Affirmative Action Committee, and possibly at a State Post-Primary Convention for the election of National Delegates.

Gender balance is required, per the instructions below.

---

Line 1	Enter the number of at-large members or delegates to be elected, as specified per <u>Article II, Rule 7.2.3.2</u> and <u>Rule 7.4.3</u> , or the <i>Delegate Selection Plan</i> .	Line 1	_____
Line 2	Add one (1) to the value on Line 1	Line 2	_____
Line 3	Enter the number of ballots issued to the electors at the SCC meeting	Line 3	_____
Line 4	Divide the value on Line 3 by the value on Line 2	Line 4	_____
Line 5	If the value on Line 4 is a whole number, add one (1) to that value.  If the value on Line 4 has a decimal value, round the number up to the next highest whole number.  This is the “quota,” or the number of votes that candidates need to obtain to be guaranteed election.	Line 5	_____
Line 6	Divide the value on Line 1 by two (2)	Line 6	_____
Line 7	If the value on Line 6 is a whole number, write that number on Line 7.  If the value on Line 6 is a decimal, write the whole number value, without the decimal portion, on Line 7.  (To be used to achieve gender balance)	Line 7	_____

**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD TO THE SCC MEMBERS AT THE MEETING!**

“Fill in your ballots with the names of as many candidates as you wish, men and women, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

Do not vote for your County Chair, County 1st Vice Chair, or other state-certified automatic SCC Members.”

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 5.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Tabulate the results for men and women separately.
7. Once either gender has reached the quantity shown on Line 5, no additional votes for candidates for that gender will be counted.
8. Continue the process until all of the ballots have been drawn.

If there are still positions available, for either or both genders, after all the ballots have been drawn, those candidates who are one short of the quota will be declared elected, unless there are more candidates one vote short of the quota than there are positions to be filled for that gender, in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available for either or both of the genders, those candidates who are two votes short of the quota will be declared elected, unless there are more candidates two votes short of the quota than there are positions to be filled (Line 5), in which case ties are broken by lot.

Continue until all the positions are filled.

If Line 7 is a whole number, no additional committee members will be elected.

If Line 7 has a decimal value (of 0.5), then there is still one additional member to be elected. The unelected person with the highest number of votes will be declared to be elected.

If there is a tie for the highest number of votes that tie will be broken by lot (e.g. drawing cards) among all of the individuals with that number of votes, regardless of gender.

**APPENDIX A.6**State Post-Primary ConventionGender-Specific Election of Delegates to a National Convention

**For the State Party Staff:** This form should be used only for gender-specific elections (i.e. separate elections for men and women) if called for by the Delegate Selection Plan. If the Plan calls for a single election with separate tabulation for men and women to achieve gender balance, then the Appendix A.5 form should be used. This form should be printed out with one (1) copy made for each gender-specific election.

---

Line 1 Enter the allocation per the *Delegate Selection Plan*.

Line 1 \_\_\_\_\_

**NOTE:**

**If the value on Line 1 is “1” the delegates should elect one person on a single-line ballot in accordance with Article I, Section 5, Rule 5.5.2.1, in which case you should *NOT* use this form!**

Line 2 Add one (1) to the value on Line 1

Line 2 \_\_\_\_\_

Line 3 Enter the number of ballots issued to the eligible electors/delegates

Line 3 \_\_\_\_\_

Line 4 Divide the value on Line 3 by the value on Line 2

Line 4 \_\_\_\_\_

Line 5 If the value on Line 4 is a whole number, add one (1) to that value.

If the value on Line 4 has a decimal value, round the number up to the next highest whole number.

This is the “quota,” or the number of votes that a candidate needs to obtain to be guaranteed election.

Line 5 \_\_\_\_\_



**PLEASE READ THE FOLLOWING INSTRUCTIONS ALOUD TO THE ELECTORS/DELEGATES!**

“Fill in your ballots with the names of as many candidates as you wish, in the order of your preference.

Only one candidate will actually receive your vote. In most cases it will be the candidate that you list on the first line, but in some cases it may be your second, third or lower choice.

1. Collect the ballots in some sort of container and mix them to achieve a totally random draw.
2. Draw the first ballot, mark it with a “1” and read the name of the candidate on the first line. That candidate receives one vote.
3. Draw a second ballot, mark it with a “2” and read the name of the candidate on the first line. That candidate receives one vote.
4. Continue the process, numbering each ballot sequentially (so that the entire election tabulation can be re-created, if necessary) until one of the candidates reaches the calculated quota on Line 5.
5. Candidates who reach the quota are declared elected and no additional votes will be recorded for them. Ballots with their name on the first line will be awarded to the next preferred candidate on that ballot.
6. Continue the process until all of the ballots have been drawn.

If there are still positions available after all the ballots have been drawn, those candidates who are one short of the quota will be declared elected unless there are more candidates one vote short of the quota than there are positions to be filled (Line 5), in which case ties are broken by lot (e.g. drawing cards).

If there are still positions available, those candidates who are two votes short of the quota will be declared elected unless there are more candidates two votes short of the quota than there are positions to be filled (Line 5), in which case ties are broken by lot.

Continue until all the positions are filled.

Candidates who receive at least one vote but are not elected will be declared to be alternate delegates. They should be listed in order of the number of votes received, with ties broken by lot, to obtain a preferential order.

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