

**RULES
OF THE
DEMOCRATIC PARTY
OF
FREMONT COUNTY
COLORADO**

As Amended
October 17, 2005

PREAMBLE

The name of this organization shall be the Democratic Party of Fremont County, hereinafter called the "Party." The purpose of the Party shall be to elect Democrats to public office, facilitate elections, support the Democratic Party of the United States and the Democratic Party of the State of Colorado, take positions for the good and welfare of the citizens of Fremont County, and provide a forum for issues affecting Fremont County. Members of the Party shall be all voters properly registered with the County Clerk of Fremont County.

ARTICLE I CENTRAL COMMITTEE

The Fremont County Central Committee shall be the governing body of the Party, and shall be vested with all the power and authority of the Party. These powers shall include the power to elect officers, adopt and amend Party rules, and pass resolutions endorsing positions on specific issues.

- A. Membership: The Central Committee shall consist of the following;
 - 1. Up to two committee people duly authorized from each precinct in Fremont County.
 - 2. The elected officers of the Party Central Committee: County Chair (hereinafter referred to as "Chair"), First and Second Vice-Chairs, Secretary, and Treasurer.
 - 3. Any Democratic officials residing in the County elected to office within the County, including school board and special districts.
 - 4. Any Democratic officials residing in the County and elected to State or National office
 - 5. Any officers of the Colorado Democratic Party residing within the county.
 - 6. Any officers of the Democratic National Committee residing within the county.
 - 7. Any Area Captains not otherwise included.
- B. Responsibilities: Members of the Central Committee shall attend all meetings of the Central Committee and support all nominees of the Democratic Party.
- C. Term Limits: There shall be no term limits.
- D. Biennial Organizational Meeting:
 - a. The Meeting: The Central Committee shall meet at the call of the Chair between the 1st day of February and the 15th day of February in odd-numbered years. The incumbent Chair shall call the meeting to order and preside until a new chair shall have been elected. At the

meeting there shall be elected a Chair, 1st Vice Chair, 2nd Vice Chair, a Secretary, and a Treasurer. Other business appropriate and proper to the Central Committee may be conducted.

- b. Notice: The Chair shall give at least 10 calendar days notice of the time and place of the meeting to all persons entitled to be present. The notice shall contain the names of all candidates who have submitted written notice of candidacy not less than 21 days prior to the meeting. Those candidates may provide at their expense a statement of their candidacy to accompany the Notice.
- c. Ballots: The Party shall provide printed ballots for the election of each Central Committee officer. The ballot shall include a blank space for "Other". The printed ballot shall contain the names of all candidates who submit written notice to the Chair at least seven (7) days prior to the meeting. The order of names on the ballot shall be determined by lot, except that "Other" shall be placed last.
- d. Nominations: Party members may be nominated to any Central Committee office from the floor by any Central Committee member.
- e. Candidate Presentations: Each candidate for Central Committee office shall be granted equal time to address the Central Committee prior to a vote.
- f. Election:
 - i. To be elected, a candidate for Central Committee office must receive a majority of the total votes cast by the Central Committee for that office.
 - ii. If more than three (3) candidates are nominated, and no candidate receives a majority of the votes cast on the first ballot or voice vote, the three (3) candidates receiving the highest number of votes shall remain on the next ballot.
 - iii. Thereafter, the candidate with the fewest number of votes shall be eliminated on each successive ballot or voice vote until one candidate receives a majority of the votes cast.
 - iv. If there is only one nominee for an office written ballots are not needed and the election may be conducted by an oral yes or no vote.
- g. Challenge to Election: Any Central Committee member may challenge The results of an election by sending written notice, including a statement of the grounds for the challenge, to the Chair within ten (10) calendar days of the election.
 - i. The Rules Committee serving at the time of the election shall serve as a grievance committee for the purpose of hearing any challenge.
 - ii. The following shall be grounds for a challenge:
 - 1. illegal votes have been received or legal votes not counted.
 - 2. an error in the original count, or

3. any other cause determined to be valid by the rules committee
- iii. Decision of the Rules Committee:
 1. The decision of the Rules Committee on the validity of a challenge shall be binding on the election.
 2. If the Rules Committee determines there is cause for challenge, it may call for a new election for the office that was challenged, disqualify a candidate for cause, or take other appropriate action.
- E. Proxies: Members of the Central Committee may deputize, by signed authorization (proxy), an agent, who is a Party member residing in Fremont County, if the Central Committee member is unable to attend all or part of a meeting.
- a. The agent shall register the proxy during roll call with the presiding officer.
 - b. The proxy may include full or partial instructions to the agent. To the extent instructions do not pertain to a given vote, the proxy shall be considered uninstructed.
 - c. No person shall exercise more than one proxy.
 - d. The signed proxy must be assigned by the absent member to the agent by name and may not be reassigned. If the agent leaves, the proxy may be exercised only by an absentee or instructed ballot.
 - e. Any proxy which does not comply with these Rules shall not be valid.
- F. Absentee or Instructed Ballots: A member leaving a meeting prior to a vote may cast a ballot only in the presence of an officer.
- a. A ballot shall be signed.
 - b. A separate ballot shall be used for each vote and shall indicate a specific preference.
- G. Quorum: A quorum shall consist of forty percent (40%) of the membership of the Central Committee for all meetings of the county Central Committee. For the purpose of a quorum, proxies shall be counted. If a quorum is not present, the members present may vote to waive the quorum requirement.
- H. State Central Committee Appointments: Appointment to the State Central Committee, shall include all elected officers of the County Party, as well as any officers of the State Party.
- I. Removal: Central Committee officers may be removed from office for cause at Time by a vote of three-fifths (3/5) of the membership of the Central Committee at a meeting called for that purpose. A meeting to remove any officer may be called by a majority of the Committee at a meeting called for that purpose. Written notice, giving the time, date, place, purpose and agenda of such a meeting shall be given to each Central Committee member at least ten (10) days prior to the meeting. The action of the Central Committee shall be final. The officer(s) shall be given written notice of the time, date, place and purpose of the meeting at least ten (10) days prior to the meeting.
- J. Vacancies
1. A vacancy of the Central Committee shall occur upon any of the

following:

- a. death
- b. resignation
- c. removal
- d. change of voting residence to outside Fremont County
- e. change of party affiliation

2. No person appointed to fill a vacancy on the Central Committee shall be entitled to vote at a Central Committee meeting called within 21 days of the appointment.

3. In the event of a vacancy in the office of Chair, the 1st Vice Chair shall succeed to the office of Chair. If for any reason the 1st Vice Chair is unable to succeed to the office of Chair, then the 2nd Vice Chair shall succeed to such office. The succession shall be effective upon the date the vacancy in the Chair occurs.

4. in the event of a vacancy in the office of First or Second Vice-Chair, Secretary, or Treasurer, the Executive Committee shall elect a successor to serve until the next meeting of the Central Committee held not less than 30 nor more than 60 days following the date the vacancy occurred.

K Standing Committees and Temporary Committees: The Central Committee shall have the power to devise such standing and temporary committees as are deemed necessary. The following standing committees are considered permanent. Members and Chair of Standing Committees shall be nominated and approved by vote of the Central Committee.

1. Budget and Finance
2. Technology and Membership
3. Rules
4. Liaison and Community Relations

L. Area Captains The Central Committee shall elect Area Captains for the following areas of Fremont County, consisting of the named precincts.

1. Northeast Area
Precincts 1,2,3,5,30
2. Southeast Area
Precincts 4,6,7,27,28
3. South-Central Area
Precincts 8,9,10, 29
4. Central Area
Precincts 12,13, 14, 15,16,17
5. North Central Area
Precincts 18,19,20,25,26
6. West End
Precincts 11,21,22,23,24

The Area Captains shall be responsible for recruitment and coordination of volunteer activity, recruitment of candidates and delegates to party caucuses, and assist the Chair in other capacities as required.

ARTICLE II

EXECUTIVE COMMITTEE

- A. Membership: The Executive Committee shall consist of all the elected officers of the Central Committee.
- B. Quorum: A quorum shall consist of 40% of the membership for all meetings of the Executive Committee.
 - 1. For the business of the Executive Committee, only those physically present are counted for the purposes of a quorum.
 - 2. Should a quorum cease to exist at any time during a meeting, the remaining members of the Executive Committee shall act as a committee of the whole and present their recommendations for ratification to the next Executive Committee meeting.
 - 3. In case of a call for a quorum, the Chair shall rule on the presence of a quorum. If there is a challenge to the ruling of the Chair, the roll of the Executive Committee shall be called.
- C. Duties and Powers:
 - 1. The Executive Committee shall assist the Chair in the control and management of political campaigns of the Party. The Executive Committee members shall organize the Party in their respective districts. They shall act as advisors on all Party matters.
 - 2. The Executive Committee may adopt a resolution by a vote of two-thirds (2/3) of the members present at a meeting when notice of the consideration of the Resolution has been mailed to all members of the Executive Committee at least ten (10) days prior to the meeting at which it will be considered. If notice of any resolution has not been mailed to the Executive Committee at least ten (10) days prior to a meeting, the Resolution may only be adopted by a vote of one-half (1/2) of the entire membership of the Executive Committee.
 - 3. The Executive Committee may suspend these Rules for a specific purpose by a vote of two-thirds (2/3) of the members in attendance.
- D. Officers:
 - 1. Duties of the Chair
 - a. Serve as the Chief Executive Officer of the Party
 - b. Preside at all meetings of the Central and Executive Committees
 - c. Speak for the Party
 - d. Direct the Party's organization and activities
 - e. Carry out the mandates of the Central and Executive Committees
 - f. Name persons to Party committees and subcommittees as provided for in the by-laws.
 - g. With the approval of the Executive Committee, appoint Task Forces needed to execute the Party's directives.
 - h. Be the only person empowered to incur liabilities binding on the party, except as provided for in these by-laws.

- i. Otherwise discharge the duties of incumbent upon the office and provided in the Rules and Regulations of the Colorado Democratic Party.
 - j. Shall appoint Chair and all members of ad hoc committees.
 - 2. Duties of the Vice-Chairs
 - a. Assist the Chair in all Duties
 - b. Preside at any meeting of the Central and Executive Committees in the absence of the Chair.
 - c. Perform other duties requested by the Chair.
 - 3. Duties of the Secretary
 - a. Be responsible for collecting the minutes of all Central Committee and Executive Committee meetings, and the recording of the Central Committee meetings through the best means available.
 - b. Be responsible for distribution of all party communications.
 - 4. Duties of the Treasurer
 - a. Be responsible for the custody of all monies belonging to the Party.
 - b. Be responsible for all the financial records of the Party.
 - c. Cause a financial statement to be published for every Central Committee meeting.
 - d. Balance all bank books and maintain up-to-date reconciliation against monthly bank statement.
 - e. Pursuant to State and Federal laws and reporting requirements, file all Party financial reports of contributions and expenditures of the Party's funds.
 - f. Preside over the Budget Committee and have a vote thereon
 - g. Cause to be prepared and submit an annual financial statement to be distributed to all Central Committee members with notice of the next Central Committee meeting.
 - h. Distribute to all Central Committee members a proposed budget for the Party which shall include notice of the Executive Committee meeting at which the budget is to be adopted.
 - i. Oversee all fiscally related duties and services performed by a firm or individual, paid or volunteer.
 - j. Maintain a checking and/or savings account at a Federally insured financial institution.
 - k. Allow inspection of financial books and records of the party by any Executive or Central Committee member.
- E. Absence from Meetings
 - 1. Excused Absences: Any Executive Committee member may be properly excused from attendance at meetings by giving prior notice of an absence to the Chair or Secretary.
 - 2. Unexcused Absences: Any Executive Committee member, having been

Given notice of the time, date, and place of the meetings, with two unexcused absences during a term of office year, shall be considered to have resigned the position.

- a. The Secretary shall give notice of default resignation no later than ten (10) business days following the second unexcused absence.
- b. The person may request consideration for reinstatement by submitting a written request no later than ten (10) business days following the mailing of the notice by the Secretary.
- c. The Executive Committee shall consider requests for Reinstatement at the next meeting, and shall consider and vote on such requests.
- d. The person requesting reinstatement shall be present at the Meeting and shall be allowed to speak on his or her behalf.
- e. The Executive Committee shall decide to either reinstated the individual or let the default resignation stand. A majority vote is required for all such actions. The person in question shall not vote.

ARTICLE III BUDGET AND FINANCE

- A. The fiscal year of the Party shall be the twelve month period beginning January 1 and ending December 31.
- B. All expenditures in excess of \$200 must be approved by the Executive Committee. Any expenditure less than \$200 must be approved by the Chair. Expenditures in excess of \$500 must be approved by vote of the Central Committee. This rule may be suspended by vote of the Central Committee temporarily during a General Election campaign.
- C. All checks drawn on the Party account must have signatures of two Party officers.
- D. The Treasurer shall be responsible for completion and submission of all reports required by the State of Colorado. Such reports will be reviewed by the standing Budget and Finance Committee.
- F. Audited records must be stored with an individual or firm without financial interest in the Party.
- G. All cash donations received by the Party should be deposited on a daily basis or on the first available business day. All cash donations shall be under the control of the Chair, Treasurer or designee.

ARTICLE IV PRECINCT CAUCUSES

- A. At the time and place set for the holding of precinct caucuses, the Committee person in attendance shall call the caucus to order and act as temporary Chair. If a committee person is not present, any Party member eligible to vote at the caucus may call the caucus to order and act as temporary Chair.
- B. A copy of the current Rules for the Precinct Caucus is included in the Appendix of this document, to be updated when available. A copy of the caucus agenda is also included in the Appendix.
- C. At the opening of the caucus, the Chair shall read official caucus rules and Distribute copies of a clear, concise statement of the precinct caucus rules, procedures and requirements for participation in precinct caucuses and the assembly. The Chair shall also read and distribute copies of the following:
 - “The Chair and other elected Party officials shall take affirmative steps to encourage participation in Party affairs, and in the delegate and candidate selection processes of traditionally under represented groups, including, but not limited to, young people, and minority groups.”
- D. The caucus shall then elect a Chair and a Secretary, and proceed, by ballot, to elect the allotted number of delegates to the County Assembly.
- E. The Executive Committee will propose a formula to the Central Committee every even numbered year to be used in determining the number of delegates from each caucus to the County and District assemblies and conventions.
 - 1. In the year of Presidential election, the caucus shall use the Procedures of the current Colorado Delegate Selection Plan to determine the number and distribution of delegates to the county and district assemblies and conventions. The number of delegates to the county assembly and convention and the judicial assembly shall be the same. The number of alternates will be the same as the number of delegates.
 - 2. In the year when there is no Presidential election, the county Party shall determine its own procedure for the number and distribution of delegates to the county assembly. The number of alternates shall be the same as the number of delegates.
- F. An assembly designates candidates for public office and to conduct other Business as determined by Colorado and Fremont County Democratic Parties’ rules and the call. This means that the assembly places the names of individuals on the primary ballot, elects delegates to the next higher assembly and proposes issues for the Democratic platform. The Fremont County assembly elects delegates to the Congressional assembly and to the State assembly.
- G. A convention selects delegates to other conventions including the

Democratic National Convention. The Fremont County convention elects delegates to the Congressional District convention, which elects delegates to the Democratic National Convention. It also elects delegates to the State Convention, which also elects delegates to the Democratic National Convention.

- H. The caucus shall also elect two precinct committee people in each precinct. The two people receiving the highest number of votes at the Caucus shall be elected as precinct committee people. If candidates receive an equal number of votes, the election shall be determined by lot.
- I. The caucus shall use the procedures of the current Colorado Delegate Selection plan to determine the number and distribution of delegates to the county and district assemblies and conventions. The County Executive Committee will propose a formula to the Central Committee every other even numbered year to be used to determine the number of delegates from each caucus to the County and District assemblies and conventions.
- J. The caucus officers shall prepare and deliver a certified list of the names Of the delegates to the County Assembly and elected precinct committee people on forms to be supplied by the Party, at a place to be determined and publicized by the Party, by midnight of the night of the caucus. Under no circumstance shall delegate lists be accepted after midnight nor shall the lists be changed after submission.
- K. No person shall be eligible to vote in any precinct caucus, or to be a delegate to an assembly, or to be a candidate for precinct committee person, unless such person has been a registered Democrat for not less than two months prior to the date of the caucus or assembly, and a resident of the precinct for at least thirty-two (32) days, as shown on the registrations books of the Fremont County Clerk. Any person who has attained the age of eighteen (18) or has become a naturalized citizen within the two month period immediately preceding the caucus shall be eligible to vote at the caucus even though that person has not been a registered Democrat for the full two months. If a registered Democrat has become a resident of Fremont County during the two months immediately preceding the caucus, the affiliation with the Party at a prior residence shall be counted in determining whether the person has been a registered Democrat for the two months.
- L. At all levels of the delegate selection process, “winner-take-all” procedures shall be discouraged and representation of minority and divergent views shall be encouraged.
- M. Contest Certification:
 - 1. Any person desiring to contest or dispute the election of delegates and/or committee people shall file a written protest with the Chair within seven (7) days following certification of the caucus elections. The Chair shall refer the matter to the Credentials Committee of the County Assembly for resolution. A copy of the letter of protest will be sent to the person or persons challenged within three (3) days of receipt by the Chair.

2. Failure to carry out these rules shall be grounds for challenge to the delegates and alternates in a caucus.
3. The County Assembly shall ratify the list of committee people. Following ratification all persons elected shall be notified in writing of such election.
4. The presiding officer and secretary of the County assembly shall file a certified list, by precinct, of those persons elected as precinct committee people with the County Clerk and Recorder within four (4) days after the date of the County assembly. (CRS1-3-101(3)(b)(I))

ARTICLE V

DUTIES OF PRECINCT COMMITTEE PEOPLE

- A. As duly elected officers to the Democratic Party, precinct committee people are the representatives of the Party within their precincts and have the right and privilege of representing the Democrats residing in their precinct at all meetings of the Central Committee held during their term of office. Such rights and privileges carry with them equivalent responsibilities, including the obligation to perform the following:
 1. Attending all meetings of the Central Committee, unless properly excused.
 2. Supporting the nominees of the Party
 3. Recruiting Party workers in the precincts and directing their Party activities within the precinct.
 4. Distribution, and/or supervising the distribution of Party literature within the precinct.
 5. Conducting and/or causing to be conducted all drives and canvasses required by the Central and Executive Committees, within the precinct.
 6. Notifying all Democrats living within their precinct of the time, place, and date of precinct caucuses.
- B. Failure of a committee person to fulfill such responsibilities or to perform effectively the functions of the office, shall constitute grounds for removal from office by the Chair, based on a written bill of particulars, signed by the Chair the cause for removal, provided however, that any person so removed may appeal, in writing or in person, at the next meeting of the Executive or Central Committee, whichever occurs first. Notice of the time, date, and place of the meeting shall be supplied to any such person by the Chair at the time of removal.
- C. Vacancies in the office of committee persons shall be filled by the appointment of the Chair with the advice of the Executive Committee.

ARTICLE VI

DELEGATE SELECTION AT ASSEMBLIES AND CONVENTIONS

- A. A determination of eligibility to participate shall be made in any caucus to elect delegates to State or National Conventions or Assemblies.
- B. When the number of candidates running for delegate exceed the number of delegates allotted to a candidate or uncommitted caucus by a factor of three, the first ballot shall reduce the number of candidates for delegate to three times the number of delegate positions allotted.
- C. The second ballot shall include the names of these candidates for delegate who received the highest number of votes, excluding any candidate who was elected by a majority vote.
 - 1. The number of candidates shall be reduced to twice the number of unfilled delegate positions on the second ballot.
 - 2. All remaining candidates for delegate shall be allowed to address the caucus before the second ballot.
 - 3. Any candidate who receives a majority shall be elected.
- D. All eligible members of the precinct caucus may vote for as many delegate positions as are unfilled.
- E. Selection of candidates for alternate shall be separate from the selection of delegates. The Rules applicable to the selection of delegates shall apply to the selection of alternates. If a candidate for alternate has also been a candidate for delegate, that person shall not be allowed a second opportunity to address the caucus as a candidate.
- F. The Chair or a designee shall serve as President, Pro-Tem of any caucus lacking organizational leadership. This person shall set up a structure for the caucus at the Convention or Assembly.
- G. The Rules governing the candidate caucus may be suspended by a simple majority vote of those eligible and voting.
- H. Failure to carry out these rules shall be grounds for challenge to the delegates and alternates in a caucus.

ARTICLE VII

ITEMS OF SPECIAL IMPORTANCE

- A. Robert's Rules to Govern. Any procedure which is not prescribed in or governed by these rules shall be governed by Robert's Rules of Order.
- B. Severability. No section of these Rules shall violate the Rules of the Colorado or National Democratic Parties. If any section is held invalid, such decision shall not effect, impair, or invalidate the remaining sections of these Rules or its application to other persons or circumstances.
- C. Amending the Rules.
 - 1. The Rules of the Party may be amended by a majority vote of the Central Committee following approval by the Rules Committee and notice of said recommendations having been mailed within the notice period of the Central Committee meeting at which they are to be considered, or
 - 2. A two-thirds (2/3) vote of the Central Committee in the absence of

approval by the Rules Committee and notice to the Central Committee.

3. Any change in the state law affection these Rules shall automatically amend these rules unless the County Central Committee shall act to retain its original rule(s) or unless the state shall act to retain its original rule(s) in which case the original party rule(s) shall prevail.

- D. Open Meetings All Party meetings shall be open to any party member. To this end, all meetings of any party committee or district at which official party business will be discussed and acted upon shall be held in a location that is accessible to all Party members. Such meetings shall include assemblies, conventions, and meetings of the committees outlined in the Rules. To effect this policy, notification of meetings shall include a request for special needs accommodations.
- E. Affirmative Action The Party and its officers shall take affirmative steps to assure participation at all levels of the Party by all traditionally under represented groups. The rules and guidelines of the Colorado and National Democratic Parties shall be used as a basis for affirmative action in the party.