

Ray Buckley, Chair

**Constitution of the New Hampshire Democratic Party**

**Adopted June 7, 1997**

**And Amended June 4, 1999**

**And Amended April, 2003**

**And Amended March 24, 2007**

**And Amended September 24, 2011**

**And Amended June 1, 2013**

**Chapter One**

***Preamble***

The Democratic Party of New Hampshire consists of all Democrats registered to vote in the State. Membership in the Party is open to all individuals, regardless of race, creed, color, national or ethnic origin, age, gender, sexual orientation, disability, economic status or philosophical persuasion.

The Democratic Party of New Hampshire is dedicated to justice, equality, and freedom, the principles that form the bedrock of our great Nation. The Democratic Party of New Hampshire fosters accountable leadership that moves in concert with the needs of its members. Further, the Democratic Party of New Hampshire embraces a diversity of political philosophies and conducts itself according to the wishes of the majority of its membership.

The major priorities of the Democratic Party of New Hampshire will be to elect Democrats to public offices, to enlarge its membership, and to function in an open and democratic manner, consistent with its Constitution and the laws of the United States and the State of New Hampshire.

The ultimate goal of the Democratic Party of New Hampshire is to aid our government to perform effectively as a true democracy, representative of all the people.

**Chapter Two**

***NHDP Conventions***

**A. Purpose**

The Democratic Party of New Hampshire (NHDP) will hold Conventions to establish policy for the New Hampshire Democratic Party consistent with its Constitution.

**B. Powers and Duties**

The NHDP Conventions shall adopt the platform of the NHDP, nominate presidential electors, vote on amendments to the Constitution of the Democratic Party of New Hampshire, promote party unity, and carry out other actions necessary to further the goals of the NHDP.

**C. Membership**

The following will be Convention Members, provided that they are Democrats registered to vote in New Hampshire:

1. Members of the Democratic State Committee;
2. The Party's most recent nominees for the General Court and County Offices;
3. Local Committee Officers, as defined in Chapter 7, Section D, elected according to local bylaws;
4. Local Delegates elected prior to the State Convention according to New Hampshire law and the Constitution of the New Hampshire Democratic Party;

5. The elected President of each College Democrats of New Hampshire campus chapter at the time of the State Party Convention.

#### **D. Officers**

The State Chair will appoint the following officers of the Conventions who need not be Convention Members provided that they are members of the Democratic Party of New Hampshire.

1. Two Co-Chairs who will call the Conventions to order and preside over the business of the Convention;
2. A Parliamentarian who will rule on questions of parliamentary procedure, when called upon to do so by the presiding officer;
3. A Secretary who will take the minutes of the Conventions and will file the minutes with the Democratic State Committee;
4. A Treasurer who will be responsible for collecting registration fees and for overseeing payment of the bills of the Conventions;
5. A Sergeant-at-Arms who will decide the seating arrangement, and will maintain order and decorum on the floor of the Conventions at the direction of the presiding officer.

#### **E. Convention Committees**

1. Delegate Selection and Credentials Committee. The State Chair, with the approval of the Executive Committee, will appoint a Delegate Selection and Credentials Committee consisting of the First Vice Chair and at least two other persons which will determine the procedures for delegate selection and the credentials of members of the Conventions and will hear and act upon any challenge to the qualifications of any member of the Conventions. The First Vice Chair will serve as Chair of the Delegate Selection-and Credentials Committee for the NHDP Conventions.

2. Platform Committee. The State Chair, with the approval of the Executive Committee, will appoint a Platform Committee, the selection and composition of which will be determined by the Executive Committee. Members of the New Hampshire Democratic Party interested in serving on the Platform Committee should submit their names to the State Chair by February 1st of the year preceding the State Convention. The Platform Committee will prepare and propose a Platform to the State Convention. The Platform Committee shall hold hearings around the State in order to consult widely with the Party membership prior to preparation of the proposed Platform. The State Committee will establish the procedure for proposing amendments to the platform and will send copies of the procedure to all State Committee members at least 60 days prior to the State Convention. The Chair or Co-Chairs of the Platform Committee will make best efforts to publish the proposed Platform and proposed amendments at least ten business days prior to the State Convention. The Chair or Co-Chair of the Platform Committee will be designated by the State Chair and will present the proposed Platform and proposed amendments to the Convention.

3. Resolutions Committee. The State Chair, with the approval of the Executive Committee, will appoint a Resolutions Committee consisting of at least three persons, the Second Vice Chair and at least two others, who will prescribe rules for proposing resolutions to the Convention, and present all properly proposed resolutions to the Conventions. The Second Vice Chair will serve as the Chair of the Resolutions Committee and will present the proposed Resolutions to the State Convention. The Chair of the Resolutions Committee will make best efforts to publish the proposed resolutions and Committee's recommendations at least ten (10) business days prior to the State Convention.

4. Chairs and Their Appointment. The State Chair shall appoint these chairs and other members of the

Convention Committees by February 1 before the NHDP Convention.

#### **F. State Convention**

1. Call of the State Convention. The State Chair shall call the State Convention according to the Constitution of the Democratic Party of New Hampshire. The State Convention will be held in even-numbered years on a Saturday after April 1st but before June 30th. The date shall be determined by the State Chair and approved by the Executive Committee no later than March 1st.

2. Official Call. The official call to the State Convention will include an agenda and the proposed platform as submitted by the Platform Committee of the Democratic Party of New Hampshire. State Convention Members are identified in Chapter 2, Section C. The official call will be sent to each Convention Member at least 10 business days prior to the date of the State Convention. Procedures adopted by the State Committee for proposing resolutions and amendments to the platform will be included in the official call.

3. Rules of Conduct. The State Convention will be conducted according to its own rules duly adopted, Statutes of the State of New Hampshire, and where not otherwise provided for, by Robert's Rules of Order. The Rules Committee duly elected by the State Committee will propose rules to govern the conduct of business at Conventions. The Party Legal Counsel shall serve as a member of the Rules Committee and will present the proposed Rules to the Convention.

4. Quorum and Voting. Only Convention Members may vote on any matter before the State Convention. Twenty-five percent (25%) of the Convention Members is a quorum. No proxy voting is permitted in the State Convention or in any caucus thereof.

5. Agenda. The State Convention agenda will include, but is not limited to:

- a. Nomination of Presidential electors according to New Hampshire law;
- b. Presentation and adoption of the Platform of the Democratic Party of New Hampshire according to New Hampshire law; and
- d. An opportunity for candidates to address the convention.

#### **G. Midterm Convention**

1. Call of the Midterm Convention. The State Chair shall call the Midterm Convention according to the Constitution of the Democratic Party of New Hampshire. The Midterm Convention will be held in odd-numbered years. The date shall be determined by the State Chair and approved by the Executive Committee no later than March 1st.

2. Official Call. The official call to the Midterm Convention will include an agenda and a copy of the report, if any, from the Rules Committee on proposed changes to the Constitution of the New Hampshire Democratic Party. Midterm Convention Members are identified in Chapter 2, Section C. The official call will be sent to each Convention Member at least 10 business days prior to the date of the Midterm Convention.

3. Rules of Conduct. The Midterm Convention will be conducted according to its own rules duly adopted, Statutes of the State of New Hampshire, and, where not otherwise provided for, by Robert's Rules of Order. The Rules Committee duly elected by the State Committee will propose rules to govern the conduct of business at Conventions. The Party Legal Counsel shall serve as a member of the Rules Committee and will present the proposed Rules to the Convention.

4. Quorum and Voting. Only Convention Members may vote on any matter before the State Convention. Twenty-five percent (25%) of the Convention Members is a quorum. No proxy voting is permitted in the Midterm Convention or in any caucus thereof.

5. Agenda. The Midterm Convention agenda will include, but is not limited to:

- a. Party Building and issue identification; and
- b. Presentation and consideration of a report from the Rules Committee which may include amendments to the Constitution of the New Hampshire Democratic Party and a vote thereon.

### **Chapter Three** *The Democratic State Committee*

#### **A. Purpose**

It is the responsibility of the members of the Democratic State Committee to participate actively in formulating policy, conducting business, and maintaining the financial stability of the State Party as necessary or appropriate to carry out the goals of the NHDP.

#### **B. Powers and Responsibilities**

The members of the Democratic State Committee have the following powers and responsibilities:

1. To maintain regular communication and consultation with County, Regional, and Local Committees and to keep those committees informed of party affairs;
2. To attend meetings;
3. To serve on committees;
4. To publicly support party nominees;
5. To oversee the work of the Executive Committee as set forth in this Constitution;
6. To elect officers of the State Committee;
7. To set Party policy consistent with policy established by the State Conventions;
8. To adopt an annual budget by June 30;
9. To promote, and help in electing Democrats;
10. To raise and expend funds in support of Democratic candidates and Party activities;
11. To fill vacancies in its membership where the appropriate County Committee has not filled such vacancies in accordance with this Constitution;
12. To declare vacancies in its membership where a member has acted to justify removal; and
13. To elect from its ranks six (6) at-large members to serve on a permanent, standing committee to hear, study, and advise the State eCommittee on proposed changes to the Rules and Constitution of the Democratic Party of New Hampshire. The members at large will be elected following the election of officers at the State Committee meeting in March of odd-numbered years and all at-large members will serve for two years. The Rules Committee will elect a Chair from its own ranks at a meeting called within thirty days by the State chair. The Chair of the committee will be a member of the State Executive committee during his or her term as Chair. Vacancies will be filled at the next State Committee meeting. The Party's elected Legal Counsel will also serve as an ex-officio voting member of the committee.

#### **C. Membership**

1. The State Committee consists of the following members:
  - a. The Officers of the New Hampshire Democratic Party;

- b. All former State Chairs and Vice Chairs who are members of the Democratic Party;
- c. Five persons appointed by the State Chair, who will be full voting members of the State Committee, but will have no vote in the election of the State Chair;
- d. The chair of the Finance Committee and the chairs of no more than four additional Committees established under Chapter 3, Section F, Subsection 4;
- e. Current National Committee Members, any additional National Democratic Committee appointees and all former Democratic National Committee Members who are members of the New Hampshire Democratic Party;
- f. Two members of the New Hampshire Democratic Party designated by each of those members of the Democratic Party currently holding the offices of President of the United States, Governor, U.S. Senator, and U.S. Representative;
- g. The Party's most recent official nominees for and former incumbents of the offices of President of the United States, Governor, U.S. Senator, U.S. Representative, or their designees, who are members of the New Hampshire Democratic Party;
- h. The Party's most recent official nominees for the Executive Council or former incumbents who are members of the Democratic Party;
- i. All registered Democrats who currently hold or formerly held the offices of Speaker of the New Hampshire House of Representatives, Democratic Leader in the New Hampshire House, President of the New Hampshire Senate, and Democratic Leader in the State Senate;
- j. Twenty members of the Democratic Caucus of the NH House of Representatives, appointed by the ranking member of the caucus;
- k. All members of the Democratic Caucus of the NH Senate;
- l. All persons elected to County Government positions who are members of the New Hampshire Democratic Party;
- m. The Officers of the County Committees elected according to Chapter 5, Section D, Subsection 1;
- n. Members elected by each County Committee according to ratios established pursuant to the most recent presidential election as described in Chapter 6, Section C, Subsection 1, Paragraph b;
- o. The Officers of the New Hampshire Young Democrats as duly elected according to the procedures prescribed by the Young Democrats of America;
- p. The duly elected Officers of the Executive Board of the College Democrats of New Hampshire; and
- q. The delegates, alternates, and official convention committee members who comprised the New Hampshire delegation to the most recent Democratic National Convention.

## 2. Resignation, Removal and Replacement of State Committee Members

- a. Members of the State Committee may resign by submitting resignations in writing to the State Chair. In case of resignations from the State Committee by an officer or member of a County Committee, the State Chair will notify the appropriate County Chair of the resignation, and such resignation will be a resignation from the County Committee as well.
- b. Members of the State Committee may be removed for repeated failure to attend State Committee meetings without excuse; publicly supporting a candidate of another political party or other candidate opposed to a duly nominated candidate of the Democratic Party; or failure to remain a registered member of the New Hampshire Democratic Party.
- c. Any member of the State Committee may petition the Rules Committee for removal of a State Committee member. A petition for removal must be delivered to the person whose removal is sought at least thirty (30) days before the meeting of the Rules Committee at which action on the petition is to be taken. A petition must specifically state the grounds on which removal is sought. No petition may be acted upon at a meeting of the Rules Committee unless the petition has been listed as an agenda item in the notice of the meeting, and the person whose removal is sought has been given an opportunity to be

heard. A petition for removal will be sustained by majority vote of the members of the Rules Committee, present and voting. If approved, the petition will be forwarded to the State Executive Committee for its consideration, where a majority vote is needed for removal.

d. This section does not apply to removal of officers of the State Committee, which is governed by Chapter 3, Section D, Subsection 3.

e. Replacements will be chosen according to the selection process by which the person being replaced was selected, except as provided in Chapter 3, Section D, Subsection 2, Paragraph e, and Chapter 5, Section D, Subsection 3.

#### **D. Officers**

1. The officers of the State Committee will be the following:

- a. State Chair;
- b. First Vice Chair;
- c. Second Vice Chair;
- d. Secretary;
- e. Treasurer;
- f. Legal Counsel; and
- g. National Committee Members.

2. Election, Terms of Office, and Filling of Vacancies

a. State Officers. The Chair, Vice Chairs, Secretary, Treasurer, and Legal Counsel are elected by the State Committee at a meeting held on a Saturday or Sunday in March of odd numbered years to serve for terms of two years. Officers shall be elected by an open ballot process in compliance with the rules of the Democratic National Committee. The Executive Committee shall establish the specific date of the election no later than the preceding December 10.

b. National Committee Members. The National Committee Members, other than the Chair and highest ranking officer of the opposite sex (see Chapter 3, Section E, Subsection 7), are elected by the State Committee at a meeting to be held in April of a Presidential election year, and will take office following the National Convention in that year, and will serve for terms of four years. National Committee members shall be elected by an open ballot process in compliance with the Rules of the Democratic National Committee. There shall be no proxy voting for delegates to the National Convention. The number of delegates is apportioned to New Hampshire under the Bylaws of the Democratic National Committee. When the number of members apportioned to the State is even, there will be an equal number of men and women. When the number is odd, the variance between men and women will not be greater than one.

c. Filing. Any registered Democrat may file a declaration of candidacy for State Chair, Vice Chairs, Secretary, Treasurer, or Legal Counsel at the Democratic State Committee Headquarters. The filing deadline will be at 5:00 p.m. on January 15 prior to the March during which the election is to be held pursuant to Chapter 3, Section D, Subsection 2 (a). The State Chair will publish and post notice of the filing deadline on the State Party website and forward notice to the members of the State Committee by the preceding December 10.

d. Write-in votes cast for any registered Democrat for State Party Officers or National Committee Members shall be counted for the purpose of determining the election results.

e. Vacancies. In the case of a vacancy during the term of office, an election to fill the vacancy will be held at a State Committee meeting to be held within sixty days of that vacancy. The filing deadline will be at 5:00 p.m. fifteen (15) days before the State Committee meeting at which the vacancy will be filled. The State Chair will publish notice of the filing deadline and forward it to the Executive

Committee at least fifteen (15) days before the filing deadline. Write-in votes cast for any registered Democrat shall be counted for the purpose of determining the election results.

### 3. Removal of Officers

a. Grounds for Removal. Officers of the State Committee may be removed for failure to perform the duties prescribed by the Constitution of the New Hampshire Democratic Party or such other duties as may validly be assigned to them, or for repeated failure to attend State Committee meetings without excuse, or for publicly supporting a candidate of another political party or other candidate opposed to a duly nominated candidate of the Democratic Party.

b. Procedure for Removal. The State Chair or twenty-five (25) members of the State Committee may petition the Rules Committee for removal of an officer. The proponents of a petition for removal must send the petition by certified mail to the person whose removal they seek, at least thirty (30) days before the Rules Committee meeting at which action on the petition is to be taken. A petition must specifically state the grounds on which removal is sought. If approved by a majority vote, the petition will be forwarded to the State Committee for its consideration. No petition may be acted upon at a meeting of the State Committee unless at least fifty (50) percent of the State Committee membership is present at such meeting and unless the petition has been listed as an agenda item in the notice of the meeting. No petition for removal may be acted upon by either the Rules Committee or the State Committee unless the person whose removal is sought has been given an opportunity to be heard.

c. Applicability. This section does not limit the authority of the State Chair to remove individuals who serve at the Chair's pleasure.

### E. Powers and Duties of the NHDP Officers

1. State Chair. The Chair is the general executive officer of the State Committee. The Chair will remain neutral in the Democratic Party primary contests and will be responsible for:

- a. Appointing and removing the Executive Director of the New Hampshire Democratic Party subject to the approval of the Executive Committee;
- b. Ensuring that an up-to-date list of all officers and members of the State Committee and county and local organizations is maintained and made available at the offices of the State Committee for examination or copying by any Party member;
- c. Ensuring that NHDP Conventions are called and held according to the law and this Constitution;
- d. Appointing, subject to the approval of the State Committee, the chair and members of the Platform Committee;
- e. Appointing, subject to the approval of the Executive Committee, the members of the following Convention Committees: Delegate Selection and Credentials Committee, and Resolutions Committee;
- f. Ensuring that any reports required of the State Committee by State or Federal law are prepared and filed;
- g. Calling meetings of the State Committee or the Executive Committee as required by this Constitution and at such other times as the Chair deems necessary;
- h. Ensuring that the Officers of the State Committee perform their duties according to this Constitution;
- i. Preparing and submitting annually a recommended budget to the State Committee for adoption by June 30;
- j. Promoting and facilitating cooperation among the Party's nominees;
- k. Appointing presiding officers for County Committee organizational meetings required under Chapter 5, Section E;

l. Hearing and deciding disputes arising in county or local organizations in accordance with Chapter 5, Section F;  
m. Ensuring that all resolutions adopted by the Democratic State Committee and/or the Convention are faithfully executed in a timely manner, unless such resolutions conflict with this Constitution;  
n. Carrying out other duties and responsibilities entrusted to the Chair by the State Committee or the Executive Committee;  
o. Appointing the Chair of the Finance Committee and the chairs of the other committees which the Chair and the State Executive Committee determine should be established pursuant to Chapter 3, Section F, Subsection 14.

2. First Vice Chair. The First Vice Chair will exercise the powers and perform the duties of the Chair in the absence or disability of the Chair or if there is a vacancy in the office of the Chair. The First Vice Chair will serve as Chair of the Delegate Selection and Credential Committee for the State Conventions. The First Vice Chair will perform other duties that the Chair may assign.

3. Second Vice Chair. The Second Vice Chair will exercise the powers and perform the duties of the First Vice Chair in the absence or disability of the First Vice Chair or if there is a vacancy in the office of First Vice Chair. The Second Vice Chair will serve as the Chair of the Resolutions Committee for the State Conventions. The Second Vice Chair will perform other duties the Chair may assign.

4. Secretary. The Secretary is the recording officer of the State Committee. The Secretary will be responsible for:

- a. Ensuring that accurate records of the proceedings of the State Committee and the Executive Committee are kept and that such records are maintained on file at the offices of the State Committee;
- b. Ensuring that summaries of all actions taken by the State Committee and the Executive Committee are prepared and distributed within three weeks of meetings to all members of the State Committee;
- c. Ensuring that members are given proper notice of the State Committee meetings.

5. Treasurer. The Treasurer is the financial officer of the State Committee. In the absence or disability of the Treasurer or if there is a vacancy in the office of Treasurer, the Finance Committee Chair will perform the Treasurer's duties. The Treasurer will give a bond for the faithful performance of the Treasurer's duties and the cost of that bond will be paid by the State Committee. The bond will extend to the Finance Committee Chair when the Finance Committee Chair acts in place of the Treasurer. The Treasurer will not accept any funds for the Committee unless according to the law. The Treasurer will be responsible for:

- a. Ensuring the receipt and disbursement of the funds of the State Committee and that accurate records of those funds are kept and maintained at the offices of the State Committee;
- b. Ensuring that all funds are deposited in the name of the State Committee in a recognized bank or trust company in the State of New Hampshire;
- c. Ensuring that State Committee funds are disbursed only for purposes authorized in the budget adopted by the State Committee, or for purposes authorized by the Chair and the Finance Committee with the consent of the Executive Committee;
- d. Reporting on the financial condition of the State Committee at each State Committee meeting;
- e. Ensuring that all financial reports legally required of the State Committee are prepared and filed.

6. Legal Counsel. The Legal Counsel is the legal advisor to the State Committee. The Counsel will advise the State Committee as to its legal rights and responsibilities. The Legal Counsel shall serve as a



member of the Rules Committee.

7. National Committee Members. The National Committee members, with the State Chair and the highest ranking officer of the State Committee of the opposite sex, are the State's Representatives on the Democratic National Committee. The National Committee members will attend all National Committee meetings and will report their activities to the State Committee.

#### **F. Committees**

1. Finance Committee. The Finance Committee will be responsible for fundraising.
2. Rules Committee. The Rules Committee will review, study, and advise the State Committee on any proposed changes to the Constitution of the New Hampshire Democratic Party. The Rules Committee will draft and present the proposed rules for the State Convention and Midterm Convention. The Committee will also hold hearings on petitions for the removal of State Committee members and State Party Officers, and will make recommendations on those petitions. The chair of the Rules Committee will be elected from among its members as set forth in Chapter 3, Section B, Subsection 13.
3. Other Committees. In addition to the Finance Committee, and the Rules Committee, the Chair and the State Executive Committee may establish committees to perform the following functions: Administration and Management, Convention Planning, and Field Organization and Support. The Chair and the State Executive Committee may also establish committees to perform other functions as they deem necessary. Membership on such Committees will also be open to any other member of the New Hampshire Democratic Party.

#### **G. Meetings of the State Committee**

1. Regular Meetings and Special Meetings. The State Committee shall hold at least four regular meetings per year. The State Committee will hold one such meeting in March each year. All such meetings shall be held in handicapped accessible locations. The Chair may, from time to time, hold meetings that are conducted with the use of telephone or Internet technology. The Chair may call special meetings of the State Committee anytime or upon the written request of fifteen members.
2. Notice of Meetings. Notice of all meetings will be sent to all State Committee members at least fifteen (15) days before the date of the meeting, except that thirty (30) days' written notice will be required for the regular March meeting at which officers are to be elected, and except that, in an emergency, five (5) days' notice will be sufficient.
3. Contents of Notice. Notice of all meetings will state the date, time, and place of the meetings and the business to be transacted.
4. Conduct of Meetings. The Chair conducts meetings of the State Committee, or in the Chair's absence, the First Vice Chair, and in the absence of the First Vice Chair, the Second Vice Chair. In the absence of the Chair and the Vice Chairs, the State Committee will elect a Chair *pro tempore* to preside at the meeting. Except as otherwise specified by this Constitution, conduct of meetings will be according to Robert's Rules of Order.
5. Actions, Voting, Quorum. Except as otherwise stated in this Constitution, majority vote of the members present and voting is required for actions of the State Committee. Seventy-five (75) members is a quorum. Lacking a quorum, a two-thirds (2/3) vote of the members present and voting is required to take action. Proxy voting shall be permitted subject to the following rules:
  - a. Proxies may be either general or limited and either instructed or uninstructed.
  - b. All proxies shall be in writing, and transferable if so specified.
  - c. No State Committee member may at any one time hold or exercise proxies for more than one other State Committee member.

## **H. Neutrality of State Committee**

The State Committee as a body will not endorse any candidate in a Primary instead of another candidate for the same office. This does not preclude recruitment of qualified candidates to fill positions on Primary ballots.

## **Chapter Four** *The Democratic State Executive Committee*

### **A. Purpose**

The Democratic State Executive Committee will be responsible to the State Committee for the effective and efficient functioning of the New Hampshire Democratic Party.

### **B. Powers and Duties**

The Executive Committee of the Democratic State Committee will have the following powers and duties, to:

1. Conduct the business of the Party between regular meetings of the State Committee;
2. Call a Midterm Convention according to Chapter 2, Section G;
3. Assist the State Chair on matters of policy, administration, and planning;
4. Approve the expenditures of money proposed by the Chair other than as provided by the State Committee's budget;
5. Authorize the Chair and Treasurer to file statements of contributions and expenditures as provided by law;
6. Authorize the Chair to arrange for compliance with federal election laws and regulations;
7. Review and approve the appointment by the Chair of the Executive Director of the Party;
8. Fill vacancies on ballots where, according to law, such vacancies are to be filled by the State Committee, as otherwise provided by law;
9. Authorize the Officers to fill vacancies on the Democratic ballot as provided by law;
10. Authorize the Chair to appoint challengers of voters according to New Hampshire law;
11. Hear and determine petitions for removal of certain State Committee members according to this Constitution;
12. Approve procedures by January 15th of odd-numbered years for the election of City/Ward/Town Chairs and Convention Delegates;
13. Decide appeals from decisions of the State Chair regarding disputed actions of county or local organizations;
14. Establish and approve the charges and duties of the Committees established under Chapter 3, Section F;
15. Approve the appointment by the State Chair of the chairs and members of the following Convention Committees: Delegate Selection and Credentials Committee, and Resolutions Committee;
16. Perform other duties that the State Committee may lawfully delegate;
17. Report to the State Committee on its actions.
18. The Executive Committee of the State Committee shall have the right to reject the nomination of any candidate who is not a registered member of the Democratic Party.

### **C. Membership**

The Executive Committee consists of the following members:

1. The officers of the State Committee;
2. The County Chairs and one local chair appointed by the State Committee Chair;

3. The chairs of the New Hampshire Democratic House and Senate campaign committees;
4. The chair of the Finance Committee and the chair of the Rules Committee;
5. Five (5) members of the State Committee appointed by the Chair.
6. The duly elected President of the New Hampshire Young Democrats.
7. The duly elected President of the College Democrats of New Hampshire.

#### **D. Meetings, Conduct of Meetings, Voting, Quorum**

1. The Executive Committee shall meet regularly six (6) times per year and at other times at the call of the State Chair. At least five (5) days' notice shall be given for any meeting, except in emergencies as determined by the State Chair, in which case the State Chair will give as much notice as possible under the circumstances. Executive Committee meetings may be held via telephone conference.
2. Meetings of the Executive Committee shall be conducted by the State Chair or, in the Chair's absence, by the First or Second Vice Chair;
3. Conduct of Executive Committee meetings will be according to Robert's Rules of Order, or other rules as the Executive Committee may adopt;
4. Majority vote of members present and voting is required for actions of the Executive Committee. One-half of the membership is a quorum. Proxy voting is not permitted.
5. Designees will be named to serve the term of the person they represent. Designees may vote on all matters except party elections. The County Executive Committee must approve County Chair designees.

### **Chapter Five** *County Committees*

#### **A. Purpose**

The organization of the Democratic Party at the county level will be ensured through the County Committee.

#### **B. Definitions**

For the purposes of this document, unless otherwise noted, a county shall be defined as:

1. The Counties of Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, and Sullivan,
2. Any incorporated municipality with over 15,000 registered Democrats, and whose population of registered Democrats represents over 20% of a County's total registered Democrats, that has received approval from the County Executive Committee in which it resides and the State Executive Committee to operate as an independent committee.

#### **C. Powers and Duties**

The powers and duties of the County Committees will be as follows, to:

1. Oversee the County Executive Committee according to this Constitution, New Hampshire law, and County Bylaws;
2. Elect the officers and members of the County Executive Committee and to fill vacancies therein;
3. Adopt and amend bylaws governing its activities, consistent with the Constitution of the N.H. Democratic Party, and with the laws of New Hampshire;
4. Adopt bylaws governing removal from office of county officers, members of the county executive

committee, or members of the county committee for neglect of duty or disloyalty to the party or its nominees, and to remove such officers or members according to its own bylaws;

5. Establish through bylaws such additional Party organizations at the county level as may be necessary for effective Party activity within the county and to delegate to such additional organization or organizations any of its powers and duties, except the power to elect the officers of the county committee and to fill vacancies therein;

6. Support the activities of the County Executive Committee and the County's Democratic nominees.

7. It is the responsibility of the members of the County Committees to participate actively in the business of the County Committee, including attendance at meetings, to maintain regular communication and consultation with Local Committees, to keep those committees informed of party affairs, and to support publicly party nominees.

#### **D. Membership**

The County Committee consists of all registered Democrats of the county.

#### **E. Officers**

1. Officers. The officers of each County Committee will be a Chair, a Vice Chair, a Secretary, and a Treasurer and will be elected at large. The officers of each County Committee have such authority and will perform such duties as prescribed through bylaws of the County Committee.

2. Terms of Office. County Committee officers and County Executive Committee members will each serve two-year terms beginning upon their election at the organizational County Committee meeting held before July 1 of odd-numbered years.

3. Vacancies. The Chair of the County Executive Committee will promptly notify the State Chair in writing of any vacancy within the County Committee. Vacancies will be filled according to Chapter 6, Section C, Subsection 3, within forty-five (45) days from the time of the notification of the vacancy by majority vote of members of the County Committee present and voting at a meeting properly advertised for that purpose. In County Committees that have apportioned committee members to commissioner districts, vacancies will be filled from the commissioner's district in which they occurred, if any.

#### **F. Meetings**

The County Committee shall meet once every odd-numbered year after the Midterm Convention and before July 1 to elect the County Executive Committee. The State Chair will appoint a presiding officer for this County Committee organizational meeting, which presiding officer will not be a candidate for any County Committee office. The County Committee will hold other regular meetings as required by the County Committee Bylaws and at such other times as may be necessary to fulfill its duties. The Chair may call special meetings of the County Committee anytime or upon the written request of ten members. Each county will provide through bylaws for reasonable notice of each meeting, conduct of meetings, quorum requirements, and other matters of order. Without such County Bylaws, the notice and procedures will be as prescribed by the State Executive Committee.

#### **G. Resolution of Disputes**

Any member of a county organization who believes an action of the county organization contravenes the Constitution of the Democratic Party of New Hampshire or the bylaws of that county organization may, within five days, appeal that action to the State Chair. The State Chair, after consultation with the Legal Counsel of the Democratic State Committee, will issue, within thirty days of receipt of that complaint, an opinion that shall be binding upon the particular county organization unless an appeal is made, within five (5) days of receipt of the decision of the State Chair, to the next meeting of the State Executive Committee.

## **Chapter Six**

### *County Executive Committees*

#### **A. Purpose**

The purpose of the County Executive Committee will be to ensure the effective and efficient functioning of the County Committee.

#### **B. Powers and Duties**

The powers and duties of the County Executive Committee in each county will be as follows, to:

1. Conduct the business of the County Committee between regular meetings of the County Committee;
2. Establish and encourage active city and town committees, to review and approve bylaws adopted by such committees, and to approve the appointment by the County Chair of officers of local committees lacking local selection of those officers;
3. Maintain up-to-date lists of voters, volunteers, and contributors in each city and town, which will be available to any Democratic candidate;
4. Hold at least quarterly meetings and to notify its membership of such meetings;
5. Recruit and support Democratic candidates for office, especially those running for County offices;
6. Fill vacancies on the Democratic ballot before and after primary elections according to New Hampshire law;
7. Support actively the Democratic nominees in each election;
8. Raise sufficient funds to maintain these activities;
9. Prepare and propose bylaws and amendments for adoption by the County Committee;
10. Appoint a Chair of a Local Committee if, after due notice and a meeting held for the election of Local Officers, the Local Committee failed to elect a Chair;
11. Remain neutral in the Party's primary contests and in all elections, including nonpartisan municipal elections, where two or more registered Democrats are competing for the same office. This does not preclude recruitment of qualified candidates to fill positions on primary ballots, nor does it prohibit members of the Committee from individually endorsing candidates in such elections.

#### **C. Membership**

1. Members. The County Executive Committee will consist of the following members:

- a. The four County Committee Officers;
- b. County representatives to the State Committee, elected either at large, by County Commissioner District, or according to other geographical districts determined by the County Committee for each 5,000 Democratic voters or fraction thereof as recorded in the county in the immediately preceding Presidential election. The State Chair will certify the number of such representatives for each County to the State Committee by January 15 of the year following the Presidential election, but no County shall have less than two such representatives to the State Committee. In counties divided by statute into commissioner districts, the County Committee may determine, by majority vote taken before the election of these committee members, to apportion an equal number of these committee members to each commissioner district, with any additional members to be elected at large. In counties divided by into other geographical districts, committee members shall be apportioned to the various districts in proportion to the number of Democratic voters in each district as determined above; and
- c. Other members required or provided for by County Committee Bylaws, such as County Commissioners, committee chairs, or City, Town, or Ward Chairs.

2. State Committee Membership. Only the four County Committee Officers and the representatives elected according to Chapter 6, Section C, Subsection 1, Paragraph b, above, shall serve on the State Committee.

3. Resignation, Removal, and Replacement of County Executive Members. When a County Executive Committee member resigns or is unable to perform the duties of the office to which elected, or neglects, fails, or refuses to perform the duties of that office, or publicly supports a candidate of another political party or another candidate opposed to a duly nominated candidate of the Democratic Party, the County Executive Committee will remove that person according to its Bylaws. In the event the County Executive Committee neglects or refuses to do so or has no bylaws, the State Chair may declare the office vacant. The State Executive Committee may appoint an acting officer who will serve until the County Committee elects a replacement. Vacancies will be filled within forty-five (45) days from the time of the vacancy by majority vote of members of the County Committee present and voting at a meeting properly advertised for that purpose. In County Committees that elect representatives to the State Committee according to County Commissioner Districts, vacancies in such a position will be filled from the County Commissioner District in which the vacancy occurred. Notice of the results of that election will be forwarded to the State Party within two weeks of the date of the election.

D. **Meetings:** The County Executive Committee shall meet at least quarterly.

E. **Regional Committees:** Regional Committees may be created for the purpose of strengthening activist participation within or across county lines where geographical or other factors hinder the effectiveness of conducting party business at the county level. Any plan for the establishment of regional committees shall include a provision relative to the distribution of state committee membership within the county. Creation of a regional committee shall not affect the overall membership of the State Committee.

All such plans must be submitted to the appropriate County Committees for initial approval. If approved at the County level, the State Executive Committee must approve said plan no later than one month after the approval of the appropriate County Committees. Once approved, Regional Committees shall have the right to elect their own offices, maintain their own treasury, adopt their own bylaws, and conduct the business of the New Hampshire Democratic Party within their respective jurisdictions.

## **Chapter Seven** *Local Committees*

### **A. Purpose**

The organization of the Democratic Party at the local level will be ensured through city committees, town committees, and ward committees ("local committees") to act within their respective jurisdictions.

### **B. Powers and Duties of Local Committees**

Local committees have the following powers and duties within their respective jurisdictions, to:

1. Conduct the business of the Democratic Party within their respective jurisdictions;
2. Elect their officers;
3. Elect Convention Delegates;
4. Adopt bylaws governing their activities consistent with the Constitution of the NH Democratic Party and the county organization, including provisions for removal of officers for neglect of duty or for publicly supporting a candidate of another political party or other candidate opposed to a duly nominated candidate of the Democratic party;

5. Support the activities of the State, Regional, and County committees;
6. Recruit Democratic candidates for office;
7. Fill vacancies on the Democratic ballot according to New Hampshire law;
8. Appoint inspectors of election according to New Hampshire law; and
9. Remain neutral in the Party's primary contests and in all elections, including nonpartisan municipal elections, where two or more registered Democrats are competing for the same office. This does not preclude recruitment of qualified candidates to fill positions on primary ballots, nor does it prohibit Members of the Committee from individually endorsing candidates in such elections.

### **C. Membership**

Local Committees consist of all registered Democrats within their respective jurisdictions.

### **D. Officers**

1. Officers. The officers of local committees will consist of a Chair, a Co-Chair or Vice Chair, Secretary and Treasurer, and will be elected at the meeting held to elect delegates to the State Convention. The bylaws adopted by each local committee will establish the powers and duties of the local officers.
2. Resignation, Removal, and Replacement of Local Officers. When a local officer resigns, is unable to perform the duties of the office to which elected, or neglects, fails, or refuses to perform the duties of that office, or publicly supports a candidate of another political party or another candidate opposed to a duly nominated candidate of the Democratic Party, the local committee will remove that officer according to its bylaws. In the event a local committee neglects or refuses to do so, the County Chair may declare the office vacant. The County Executive Committee may appoint an acting officer who will serve until the local committee elects a replacement. Vacancies will be filled within sixty (60) days from the time of the vacancy by majority vote of members of the Local Committee present and voting at a meeting properly advertised for that purpose. Notice of the results of that election will be forwarded to the State Party within two weeks of the date of the election.

### **E. Meetings**

Each local committee will meet at least twice a year and at such other times as may be necessary to fulfill its duties. Each local committee will provide through bylaws for reasonable notice of meetings, for conduct of meetings, for quorum requirements, and for other matters of order. Local committees will meet by April 1 before the State Convention for the purposes of electing convention delegates and electing officers according to the procedure prescribed by the State Executive Committee, and will forward the results of those elections to the State Party by April 8.

### **F. Resolution of Disputes**

Any member of a local organization who believes an action of a local organization contravenes the Constitution of the Democratic Party of New Hampshire or the bylaws of the local organization may appeal that action to the State Chair within five (5) days of that action. The State Chair, after consultation with the Legal Counsel, will issue, within thirty days of receipt of that complaint, an opinion that will be binding upon the particular local organization unless an appeal is made, within five (5) days of receipt of the decision of the State Chair, to the next meeting of the State Executive Committee.

## **Chapter Eight** *Amending the Constitution*

A. Any registered New Hampshire Democrat may submit amendments to the Constitution in writing to the Rules Committee, at least ninety (90) days prior to the Midterm Convention or the State Convention if a Midterm Convention was not held in the previous odd-numbered year. Any and all amendments must be submitted to the Rules Committee for its recommendation to the Party.

B. The Rules Committee will submit the amendments and recommendations to the Chair of the State Committee 30 days before the Midterm Convention or 30 days before the State Convention if a Midterm Convention was not held in the previous odd-numbered year.

C. All amendments proposed by the Rules Committee or by any member will be submitted with the call to the Midterm Convention to all delegates and will include the recommendations of the Rules Committee.

D. Amendments to the Constitution may also be submitted by any registered Democrat to the Rules Committee for approval by the State Committee at the next regular State Committee meeting. The Rules Committee shall meet to make recommendations on such proposed amendments and shall place the proposed amendments and recommendations on the agenda of the appropriate State Committee Meeting. All members of the next State Committee Meeting shall be notified of the proposed amendments and recommendations ten (10) days prior to the State Committee meeting. Amendments to the Constitution adopted by the State Committee at a regular State Committee meeting shall require a vote of fifty (50) percent plus one of all State Committee members.