

RULES OF THE DEMOCRATIC PARTY OF DOÑA ANA COUNTY

RULE 1. PARTY NAME

1-1. Name. The name of the Democratic Party organization of Doña Ana County, New Mexico shall be the “Democratic Party of Doña Ana County,” (DPDAC).

1-2. Seal. The official seal of the Democratic Party of Doña Ana County 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, “DOÑA ANA COUNTY”, along the outside of the seal in the lower portion. A facsimile is attached to these Rules.

RULE 2. PARTY RULES

2-1. State Rules. The Rules of the Democratic Party of the State of New Mexico (DPNM) are hereby formally adopted as governing the conduct of this organization. These rules shall control except where these rules are in conflict with the Rules of the Democratic Party of the United States.

2-2. Filing of Rules and Amendments. These rules shall be filed with the County Clerk of Dona Ana County, the Secretary of State, the DPNM Rules Chair, and the Democratic State Chair immediately after adoption. Amendments to these rules and to supplementary rules shall be filed in the same manner.

2-3. Amendment of Rules. These rules may be adopted or amended, when not in conflict with the state rules, by a majority vote of a quorum of all the elected delegates to a County convention which has as one of its purposes the amendment of rules. These rules may also be amended by a two thirds (2/3) vote of a quorum of the entire County Central Committee at a meeting which has as one of its purposes the amendment of rules.

RULE 3. PARTICIPATION IN PARTY ACTION

3-1. Qualifications. No person, officer, or official at any level of the party shall vote in a Precinct, District, County, state meeting or convention, or be a delegate to any party convention or central committee meeting unless that person is a certified registered Democratic elector of the political subdivision in which the person participates or is a qualified applicant who has completed a voter registration application for the

above-named meetings or conventions. Proof of such qualifications shall consist of (i) appearing on the voter registration list, (ii) presentation of the official voter registration receipt, (iii) a record of application endorsed by the County Clerk, or (iv) affidavit upon oath that the elector is a registered Democrat within the political subdivision.

3-2. Election at Precinct or District. In addition to the requirements of Rule 3-1, in order to qualify as an officer or delegate elected at the Precinct or District level, a person must physically reside within the territorial boundaries of that Precinct or District.

3-3. Change of Registration. An elector who has changed registration to the Democratic Party within thirty (30) days prior to a Precinct meeting shall not vote in the meeting, nor be an officer or official at any level of the party structure or a delegate to any party convention.

RULE 4 COUNTY PARTY ORGANIZATION

4-1. Notice of Party Actions.

A. Method of Notification. The County Chair shall cause to be published in English and Spanish at least twice in a newspaper of general circulation in the county a combined notice of all Precinct meetings and County meetings and conventions to elect any party officers or delegates. The first such publication shall be not more than thirty (30) days nor less than twenty (20) days prior to the Precinct meeting and the second publication shall be not more than ten (10) days prior to the Precinct meeting. The notice shall specify:

- (1) The public places where the meetings and conventions will be held;
- (2) The purpose of such meetings and conventions;
- (3) The dates and times of meetings and conventions;
- (4) The times and locations of Credentials Committee meetings; and
- (5) The times in which challenges must be presented to the Credentials Committee;

If newspapers aimed at minority group readership are published in Doña Ana County, the County Party shall also publish the notices in those newspapers. The County Party shall be financially responsible for such publication.

B. Proof of Publication. A copy of the page of the newspaper including the notices of Precinct meetings, and County meetings and conventions shall be sent by the County Chair to the state headquarters or State Chair within four (4) days after each publication.

C. Failure to Comply. If the State Chair ascertains that this rule has not been followed, then the State Chair, after consultation with State Executive Committee

members, may direct the holding of Precinct meetings or County Central Committee meetings or County conventions at such times designated by the State Chair, and reasonable notice of such meetings shall be specified by the State Chair.

RULE 5. THE COUNTY CENTRAL COMMITTEE

5-1. 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.

5-2. Assessments. The County Central Committee shall have the authority to assess dues upon the various recognized party organizations on an equitable basis.

5-3. Members.

A. The County Central Committee shall be composed of the following:

(1) Precinct members.

(a) Committee persons shall be apportioned to Precincts on the basis of the average of Democratic votes cast in each Precinct in the last general election for the office of Governor and in the last general election for the office of President. Each Precinct shall be allocated at least one (1) committee person. The Precinct Chair will represent the allocation of the first seventy-five (75) votes (or less). Allocation of additional committee persons shall be made for each subsequent seventy-five (75) votes above the original seventy-five (75) votes. No subsequent allocation shall be made for less than a block of a full seventy-five (75) votes.

(b) The elected Precinct Chair will have forty eight (48) hours to fill the additional committee person's positions if they were not elected at the Precinct elections. (See Rule 7-6, Voting) If the appointments are not made within this allotted time, the positions will be filled by the District Director.

(2) District Directors.

(3) County Chair and Vice-Chair.

(4) Secretary.

(5) Treasurer.

(6) Parliamentarian.

(7) Democratic State Legislators who reside within the County.

(8) Elected Democratic County Officials, with the exception of elected

Judiciary.

(9) One member (each) selected by and from the Democratic Women of Doña Ana County and the New Mexico State University College Democrats of Doña Ana County.

Membership on the Committee is not subject to the requirement of equal division of men and women.

B. In the event that a person qualifies for membership on the County Central Committee by virtue of holding more than one of the positions listed under this section, such member shall have only one (1) vote on the County Central Committee.

C. Quorum. A quorum of the County Central Committee shall be a majority of the total number of members actually elected at the last Precinct meeting and County convention under Rule 5-3 (A) (1), (2), and (3). Members of the County Central Committee under Rule 5-3 (A) (7), (8) and (9) appointed members shall not be counted for purposes of determining the presence of a quorum. Once a quorum has been determined to be present at a meeting, it shall be determined to be present for the duration of that meeting, regardless of whether members come and go during the course of that meeting. If less than a quorum is present at any meeting, the members then attending may vote to act as a committee of the whole for the purpose of meeting and making recommendations to the County Executive Committee on any matters covered by the call for that meeting.

5-5. Standing Committees.

A. Credentials and Rules Revision Committee. The County Judicial Council (see Rule 12) shall also act as a standing committee to consider challenges and revising rules. Challenges to a Precinct or County Central Committee member, including the Chair shall be governed by the same procedure as a challenge to a Precinct delegate at a convention (see Rule 7-3B). The County Central Committee Secretary shall also serve as Secretary for this Committee.

B. Platform and Resolutions Committee. Each District shall elect a member to the County Platform and Resolutions Committee from among the qualified Precinct electors. Elected members shall serve for two (2) years or until their successors are elected or appointed. Those previously elected shall serve on the committee for any meeting or convention called for the election of new members. Prior to each County convention, the County Chair shall appoint a Chair and no more than two (2) additional members of the Platform and Resolutions Committee. The Committee Chair shall appoint a secretary. No resolution or platform plank shall be considered by this committee unless it has been submitted in writing to the committee at least twenty-four (24) hours prior to the convention or Central Committee meeting; provided, however, the Platform and Resolutions Committee may consider an untimely resolution or platform plank if two-thirds (2/3) of the committee vote to consider it. The Platform and Resolutions Committee shall meet within twenty-four (24) hours of the convention or Central Committee meeting to consider the proposed platforms and resolutions. A proposed resolution or platform plank that receives support of a majority of the committee shall be submitted to the convention or County Central Committee with a recommendation to adopt. A proposed resolution or platform plank shall not be submitted to a County convention or meeting or to the County Central Committee for

consideration unless it receives support from twenty-five percent (25%) of the members of the Platform and Resolutions Committee. A proposed resolution or platform plank that receives support from at least twenty-five percent (25%), but less than a majority, of the Platform and Resolutions Committee shall be submitted to the convention or meeting or County Central Committee as a minority report but with a recommendation that it not be adopted. A platform plank or a resolution may be adopted only by a three-fifths (3/5) vote of the convention or Central Committee meeting, with a quorum being present. The persons appointed by the County Chair shall serve at the pleasure of the Chair, but those members elected by the Districts may be removed only in accordance with Rule 10-1.

5-6. Proxy. Proxy voting by Precinct members selected under Rule 7 is permitted in County Central Committee meetings subsequent to the constituting County meeting. A proxy shall be in writing, signed by the person giving the proxy, and filed with the County Democratic Party Secretary. A proxy shall be valid only when voted by a registered Democrat of the same Precinct as the person giving the proxy.

5-7. Election of State Central Committee Members.

A. Procedure. State Central Committee members shall be elected at the same constituting County meeting following the election of County officers as specified by the call of the State Chair. The required number of committee persons shall be elected in accordance with State Rule 4-2.

B. Members. The State Central Committee shall be composed of the following:

(1) The Chair and Vice-Chair (automatic by state rules and not counted against county quota) and the Directors from each District (automatic by these county rules and counted as part of county quota).

(2) If the average of the number of votes in the County for the Democratic nominee for Governor and for the Democratic nominee for President in the most recent general election for each office is from 2501 to 3500, the County shall have an additional member; if this average is from 3501 to 4500, the County shall have two (2) additional members; and so on. The additional members shall be elected by the County Central Committee using the proportional representation voting method. There shall be equal numbers of men and women (or a variance of not more than one (1)) among the members of the State Central Committee.

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

(4) A challenge to election of State Central Committee members shall be made in the same manner as challenges to the election of delegates and alternate delegates to a County convention, as provided in County Rule 7-3B.

C. Forfeiture of State Central Committee Membership. A person who does not attend a meeting of the State Central Committee, either in person or by proxy, shall automatically forfeit his/her seat on the Committee. Within ten (10) days after the meeting which such member failed to attend, the person may appeal by delivering notice of appeal to the County Executive Committee for reinstatement. The County Executive Committee shall meet within fifteen (15) days after receipt of the Notice of Appeal. For good cause shown the County Executive Committee may reinstate such person to his/her seat on the State Central Committee. Vacancies shall be filled pursuant to Paragraph 6-8.

RULE 6. COUNTY AND DISTRICT OFFICERS

6-1. Election of County and District Officers. The County Chair shall call a meeting of the County Central Committee pursuant to the call issued by the State Chair for the election and appointment of County officers and District officers, who in order of rank are: (i) Chair, (ii) Vice-Chair, (iii) Secretary, (iv) Treasurer, and (v) Parliamentarian. The County Central Committee shall elect a Chair and Vice-Chair. The Chair shall appoint a Secretary, Treasurer, and Parliamentarian who, upon appointment, may vote as a County Central Committee member. Each District shall caucus at the County Central Committee meeting called for election of officers and shall elect a District Director, Vice-Director, and Platform and Resolutions Committee Member. See Rule 9. Precincts shall be grouped into Districts which align with state legislative Districts. None of the officers of either the County or the District need be members of the County Central Committee to be elected or appointed. The officers shall serve for two (2) years or until their successors are elected or appointed.

6-2. Challenges. Challenges to District officers shall be made in the same manner as challenges to the election of delegates and alternate delegates to a County convention, as provided in County Rule 7-3.

6-3. Chair--Powers and Duties.

A. The Chair shall be the executive head of the County Party and have general management of all County Party business.

B. The Chair shall preside over all meetings of the County Central Committee and the County Executive Committee, and shall be an ex-officio member of all other committees.

C. The Chair shall have the power to appoint any committees which the Chair deems necessary or which the County Central Committee may authorize.

D. The Chair shall apportion the County Central Committee in accordance with County Rule 5-3A.

E. The Chair shall refrain from using his or her office to advance the

cause of any individual candidate for office in the Democratic primary election.

F. The Chair shall appoint Precinct officers and County Central Committee members when new precincts are created in accordance with New Mexico law and applicable Democratic Party Rules.

6-4. Vice-Chair--Powers and Duties.

A. The Vice-Chair shall perform all duties as they are assigned by the Chair, and shall perform the duties of the Chair in the Chair's absence.

B. The Vice-Chair shall serve as Chair of the Judicial Council. (Rule 12)

C. The Vice-Chair shall serve as Chair of the Dennis Chavez Club.

6-5. Secretary.

A. The Secretary shall record and preserve the minutes of all meetings of the County Central Committee.

B. The Secretary shall also keep records of the County conventions and of the County Executive Committee and shall perform all duties that may be required by these rules.

C. The Secretary shall perform such other duties as may be required or requested by the Chairperson, to include serving as the Secretary for the Judicial Council and the standing Credentials and Rules Revision Committee.

D. An Assistant Secretary may be appointed by the Chair.

6-6. Treasurer.

A. The Treasurer shall perform such duties as may be required by law and requested by the Chair.

B. The Treasurer shall keep full and accurate accounts of all receipts and expenditures subject to the supervision and control of the County Central Committee.

C. The Treasurer shall 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. Whenever consistent with sound financial practice, monies shall be deposited in interest-bearing accounts.

D. The Treasurer shall present a written financial report to the County

Central Committee at each of its meetings.

E. An Assistant Treasurer may be appointed by the County Chair.

6-7. Parliamentarian. The Parliamentarian shall advise the Chair, Executive Committee, and County Central Committee on these rules and shall be an ex-officio (non-voting) member of the Judicial Council. (Rule 12)

6-8. Vacancies in County Offices and State Central Committee

A. A vacancy occurs in a County, District, or Precinct office or in the State Central Committee when the officer or committee member:

- (1) Is removed in accordance with Rule 10;
- (2) Ceases to reside in the County, District, or Precinct from which the person was elected;
- (3) Resigns or dies;
- (4) If the position is forfeited under Paragraph 5-7C; or
- (5) The position was not filled by election.

B. If a vacancy occurs in any County, District office, or Precinct office or in the State Central Committee, the County Executive Committee shall fill the vacancy unless otherwise provided in these rules.

(1) In the case of vacancies occurring at the Precinct level, the vacancies shall be filled by:

(a) the remaining Precinct officers of record, within 48 hours of vacancy. The Precinct Chair shall furnish the District Director the name or names to be certified by the County Executive Committee;

(b) the District Director if the Precinct has not filled the vacancies. The District Director shall fill the vacancies and certify the names to the County Executive Committee; or

(c) the County Executive Committee if the District Director does not fill the vacancies.

(2) Vacancies in District offices shall be filled in accordance with Rule 9-6, below.

(3) All other vacancies above the Precinct level shall be filled by the County Executive Committee.

6-9. Executive Committee.

A. The County Central Committee may delegate authority for the conduct of business to the Executive Committee, which shall be composed of the County Chair, Vice-Chair, Secretary, Treasurer, Parliamentarian, District Directors, and members from each of the organizations specified under Rule 5-3A(9). Voting members of the Executive Committee shall be County Chair, County Vice Chair, and District Directors.

The Vice-Directors will vote in the absence of the District Directors. Proxy voting is prohibited.

B. The Chair may designate the members of the State Central Committee and past County Chair as advisory members to the Executive Committee.

RULE 7. COUNTY CONVENTIONS

7-1 Call. The County Chair shall issue a call for a state-called County convention, to be held at a suitable public place on the date and at a time set by the State Chair. Only the State Chair may reschedule a state-called County convention, if participation would be significantly improved. In consideration of County matters, County-called conventions may be called by the County Chair or by written petition of at least two-thirds (2/3) of a County's Precinct Chairs. The scheduling shall be determined by the County Chair. A County convention call may be amended only by a three-fourths (3/4) vote of the convention..

7-2. Purpose. County conventions shall serve to elect delegates to state conventions, adopt resolutions, adopt or amend the rules of the County Party organization, and conduct such other business pertaining to the County as provided for in the call.

7-3. Delegates.

A. Certification of Delegates. Where delegates have been elected at Precinct meetings, the Precinct secretary shall certify the names and addresses of the delegates from their respective Precincts. The certification shall be delivered to the County Chair or the Chair of the standing Credentials and Rules Revision Committee not less than forty-eight (48) hours before the County convention convenes.

B. Challenges. A challenge to a Precinct's delegates or alternate delegates may be issued from any registered Democrat within that Precinct. 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 Chair of the standing Credentials and Rules Committee not less than forty-eight (48) hours prior to the convention. Challenges shall be referred to the Credentials and Rules Committee. The challenge shall specify the charges and identify by names and address the challengers and those challenged.

C. Adjudication of Challenges. If challenges have been filed, the Credentials and Rules Committee shall convene not less than twenty-four (24) hours before the convention at a time and a site designated by the County Chair, with notice to all affected parties. The Credentials and Rules Committee, after hearing the challenge, shall report to the convention the names and addresses of delegates and alternate delegates whom it has determined are entitled to participate in the convention. A challenged delegation or individual members of such delegation shall not vote upon its

own challenge when the challenge is considered by the Credentials and Rules Committee or when the convention considers the report of the Credentials and Rules Committee. Each challenge and respective recommendations of the Credentials and Rules Committee, including minority reports, if any, shall be considered separately.

D. The County Judicial Council (see Rule 12) shall act as the Credentials and Rules Committee.

7-4. Order of Business. The ordinary order of business, as set by the call, applicable to any County convention, is as follows:

- A. Call to order by the County Chair.
- B. Reading of the call.
- C. Report of the Credentials and Rules Committee and convention vote thereon.
- D. Election of Convention Chair.
- E. Appointment of committees in addition to standing committees.
- F. Adoption of a platform, if required.
- G. Selection of delegates and alternate delegates to a state convention, if required.
- H. Other business.
- I. Adjournment.

7-5. Convention Standing Committees.

A. The Credentials and Rules Revision Committee and the Platform and Resolutions Committee, as established in Rule 5-5, shall serve during the convention.

B. The committees shall meet prior to the convention at a time specified by the County Chair. Members of such Credentials and Rules and Platform and Resolutions Committees need not be delegates to the convention. A committee member shall serve until a new convention is called or as otherwise provided in these rules.

7-6 Voting.

A. Proxy. An accredited participant in the convention may, *after having appeared at the convention* and having established credentials, give a written proxy to another accredited participant from the *same precinct* – provided that no person may hold

more than three (3) proxies at one time. In the absence of the District Director the Vice District Director will serve as the alternate. There will be no alternates for the committee members selected under rule 5-3A (3), (4), (5), (6), (7) and (8). Members selected under rule 5-3A (9) must be on file with the County Executive Committee forty-eight (48) hours before voting.

B. Alternates: The number of alternates shall not exceed the number of delegates in the Precinct. Alternates shall be selected in the following order of priority:

(1) Persons present at the Precinct meeting who received at least one (1) vote in the election of delegates, but who were not elected to be a delegate. The alternate receiving the most votes shall fill the first vacancy; the alternate receiving the next-most votes shall fill the second vacancy and so on. If the order in which the alternates were elected is not determinable by vote at the Precinct meeting then the order of alternates shall be selected by drawing lots.

(2) In the event the alternates are not selected by vote or drawing of lots from those present at the Precinct meeting, then the Precinct Chair may appoint alternates. The Precinct Chair shall have forty-eight (48) hours to fill and file with the Democratic County of Doña Ana, any vacancies for alternates.

(3) After the 48 hours the District Directors shall appoint alternates.

C. Casting the Vote. Votes shall be totaled by Districts. Subject to the quorum requirement for the convention (Rule 20), if the full delegation from any District is not present, those present may cast the full vote to which the District is entitled and, if there is a division on any issue or candidate within the delegation, the District's full vote shall be cast in proportion to the preference of those present.

RULE 8 PRECINCT ORGANIZATION

8-1. Precinct Meetings.

A. Call. The County Chair shall issue a call for Precinct meetings, to be held at suitable public places on the date and at a time set by the State Chair. The call shall be furnished to the Precinct Chair and Vice-Chair at least thirty (30) days in advance of the meeting. The call shall specify the date, hour, place, and purpose of each Precinct meeting. Publication of notice shall be according to Rule 4-1. If the purpose includes election of delegates to County conventions and meetings, the call shall specify the number of delegates to which each Precinct 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 rules. A Precinct meeting may be called by the Precinct Chair for consideration of matters pertaining to the Precinct.

B. Place and time of Precinct Meeting. Each Precinct Chair shall make a

reasonable effort to hold any Precinct meeting in a public building within the Precinct. The County Chair shall have the same obligation for any Precinct meeting called by the County Chair in the absence of a Precinct Chair or other Precinct officer. Precinct meetings must not be scheduled within a week of the County meeting in order to fill Precinct vacancies and check eligibility of officers.

C. Conduct of Precinct Meetings.

(1) Convening. The Precinct 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 or Secretary. If none of the above officers is present, any elector of the Precinct may convene the meeting.

(2) Order of Business. The order of business, as applicable, for any Precinct meeting shall be:

- a. Call to order by the Precinct Chair.
- b. Reading of the call.
- c. Appointment of Credentials Committee and presentation of challenges.
- d. Report of Credentials Committee and vote thereon.
- e. Election of Precinct Officers and County Central Committee members, if required.
- f. Election of delegates to County conventions, if required.
- g. Remaining business for which the meeting is called.
- h. Adjournment.

8-2. Election of Precinct Officers and County Central Committee Members. The County Chair shall call a meeting of the Precinct, pursuant to the call of the State Chair, for the election of Precinct officers who, in order of rank, are (i) Chair, (ii) Vice-Chair, and (iii) Secretary. The Precinct Chair and Vice-Chair shall be elected by qualified electors of the Precinct. The Secretary shall be appointed by the Chair. County Central Committee members shall also be elected at this meeting.

8-3. Precinct Chair--Powers and Duties.

A. The Chair shall be the chief executive of the Precinct.

B. The Chair shall preside over all Precinct meetings and shall be an ex-officio member of all Precinct committees.

C. The Chair shall have general management of all Precinct affairs and election campaigns at the Precinct level. If a vacancy occurs in the office of Precinct Chair, the Precinct Vice-Chair shall succeed to the respective office. If a vacancy occurs in any other Precinct office, or in the Precinct County Central Committee positions, the vacancy shall be filled by the Precinct Chair within thirty (30) days; if not, by the District

Director and be certified by the County Executive Committee. Appointments to fill vacancies shall be for the unexpired term.

D. The Chair shall have the power to appoint committees.

E. The Chair may express an individual personal preference for candidates in the Democratic Primary Election. The Chair shall not use the Chair's Democratic Party position or title in expressing any such preference.

F. The Chair shall appoint the Precinct Secretary and any other officers as may be necessary.

8-4. Vice-Chair--Powers and Duties. The Vice-Chair shall perform all duties assigned by the Chair, and shall perform the duties of the Chair in the Chair's absence.

8-5. Secretary--Powers and Duties. The Secretary shall record and preserve the minutes of all meetings of the Precinct, and deliver a copy to the County Secretary, which shall include the names and addresses, phone numbers and e-mail addresses of all persons elected at all meetings, and shall perform all duties that may be required by the Chair and as otherwise provided in these rules.

8-6. Voting

A. Proxy. Voting by proxy in Precincts is prohibited.

B. Method. In selecting members of the County Central Committee for County delegates to a County or state convention, each elector's ballot shall be counted for no more than one (1) candidate, regardless of the number to be elected.

C. Ballots. Prior to the beginning of the meeting, the Chair shall appoint checkers to verify that the persons present are qualified electors. Each elector shall be verified and shall then be issued ballots or other identification for all votes to be taken during the meeting. No ballots or other identification shall be issued prior to the time of check-in at the meeting. After receiving a ballot an unchallenged elector may cast the ballot and leave the meeting without waiting for any other business.

D. Challenged Voters. Persons who are challenged as electors, shall have the right to appear before a Credentials Committee appointed by the Chair of the meeting. The Credentials Committee shall consist of at least three (3) Precinct electors, and shall hear any challenge to the voting qualifications of any person present. No later than thirty (30) minutes from the start of the meeting, the Credentials Committee shall report its findings and recommendations. Those persons accepted by the meeting shall be issued ballots or identification. The Chair shall thereupon announce the total number of sets of ballots or identifications that have been issued, and no more shall be issued. .

E. 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 reheld, if there is a challenge to any election held in the meeting.

8-7. Observers. Upon the request of the Precinct Chair or two (2) other electors in the Precinct, or upon his or her own authority, the County Chair shall designate an impartial observer from another Precinct to assist in the conduct of the Precinct meeting. The designated observer may vote in the observer's own Precinct meeting by delivering to the Chair of the observer's own Precinct meeting written instructions regarding their vote.

8-8 Precinct Elections.

A. If a Precinct is entitled to only one (1) County Central Committee member, Precinct elections shall be conducted by majority vote, and the elected Precinct Chair shall be the County Central Committee member.

B. If a Precinct is entitled to more than one (1) County Central Committee member, all such members shall be elected.

8-9. Violation of Rules. Claims of rules violations at a Precinct meeting which affect the seating of the Precinct's delegation at a County convention shall be taken to the convention's Credentials Committee, in accordance with the procedures and time requirements of Rule 7-3B, C, and D. Other claims of rules violations at Precinct meeting shall be taken to the County Judicial Council. If rule violations at a Precinct meeting are of a nature as to materially change the outcome of the meeting, the meeting shall be reheld under the supervision of unbiased representatives of the County Central Committee appointed by the County Chair.

8-10. Failure to Hold Precinct Meetings.

A. If no Precinct meeting is held pursuant to a call to elect Precinct Officers and County Central Committee members, the County Executive Committee shall select them.

B. If the Precinct fails to meet pursuant to a call to elect convention delegates, the County Executive Committee shall select them from that Precinct.

RULE 9. DISTRICT ORGANIZATION

9-1. Election of District Officers.

A. District Director/Vice-Director and County Platform and Resolutions Committee members shall be elected by a caucus of the County Central Committee members of each District at a County Central Committee meeting which includes that purpose in the call. District Officers in order of rank are (i) District Director, (ii) Vice-

Director, (iii) Platform and Resolutions Committee Member, and (iv) Secretary.

B. The District Director shall appoint a secretary. None of the officers need be members of the County Central Committee to be elected but must be registered Democratic voters in the District. The District Director shall automatically become a member of the County Central Committee and shall serve as a member of the Executive Committee of the County Party.

9-2. District Director--Powers and Duties.

A. The District Director shall be the executive head of the District.

B. The District Director shall preside over all District meetings and shall be an ex-officio member of all District committees.

C. The District Director shall have general management of all District affairs and election campaigns at the District level.

D. The District Director shall have the power to appoint committees.

E. The District Director may express an individual personal preference for candidates in the Democratic Primary Election. The District Director shall not, however, use the Director's Democratic Party position or title in expressing any such preference.

F. The District Director shall appoint the District Secretary and any other Officers as may be necessary.

G. The District Director shall serve as a member of the Judicial Council.

9-3. Vice-Director--Powers and Duties. The Vice-Director shall perform all duties assigned by the District Director and shall perform the duties of the District Director in the District Director's absence.

9-4. Platform and Resolutions Committee. The Platform and Resolutions Committee Member shall serve as a representative of the District on the County Platform and Resolutions Committee.

9-5. Secretary--Powers and Duties. The Secretary shall record and preserve the minutes of all meetings of the District and deliver a copy to the County Secretary, which shall include the names and addresses of all persons elected at all meetings, and shall perform all duties that may be required by the Director and as otherwise provided in these rules.

9-6. Vacancies. If a vacancy occurs in the office of District Director, the Vice-Director shall succeed to the respective office. If a vacancy occurs in any other

District office, the vacancy shall be filled by the District Director within thirty (30) days; if not, by the County Executive Committee. Appointments to fill vacancies shall be for the unexpired term.

9-7. Meetings. A District meeting may be called by the District Director for consideration of matters pertaining to the District.

9-8. Voting. The procedures for voting at District meetings shall be the same as procedures for voting at Precinct meetings, set out herein above at Paragraphs 8-6, 8-7, 8-8, and 8-9.

RULE 10. REMOVAL OF COUNTY, DISTRICT OR PRECINCT OFFICERS OR STATE CENTRAL COMMITTEE MEMBERS

10-1. Reasons. Any County, District, or Precinct officer or member of the State or County Central Committee may be removed from such office for any of the following reasons:

- A. Intentional conduct in violation of these rules.
- B. Aiding or supporting any political party other than the Democratic Party.
- C. Aiding or supporting any candidate opposing a nominee of the Democratic Party.
- D. Conviction of a felony or of any crime involving moral turpitude.
- E. Nonfeasance or malfeasance in office.

10-2. Forfeiture of State Central Committee Membership. Forfeiture of State Central Committee Membership shall be automatic and governed by Rule 5-7C. Rule 10-3 shall not apply to such forfeiture.

10-3. Procedures. Any County, District, or Precinct officer or other member of the State Central Committee shall be removed under the following procedures:

- A. A written petition shall be filed with the County Chair and delivered to the County officer or member of the State or County Central Committee sought to be removed.
- B. The petition shall name the County, District, or Precinct officer or State or County Central Committee member and specify the conduct constituting the violation. The petition shall be signed by the petitioner and shall be delivered to the County Chair.

C. The County Chair shall call a meeting of the Judicial Council within fifteen (15) days of receiving the petition and shall promptly notify the petitioner and the person sought to be removed from office of the time and place of such meeting. Petitioner and the person sought to be removed shall present their positions to the Judicial Council. A quorum shall be three-fourths (3/4) of the entire Judicial Council. By a two-thirds (2/3) vote of the members present the Judicial Council may remove the person from office. Proxy voting is not permitted.

D. Upon the removal of an Officer or State Central Committee member, the office shall be declared vacant and filled in the manner provided in Rule 6-8.

RULE 11. FILLING VACANCIES FOR NOMINEE FOR PUBLIC OFFICE

11-1. Statewide Position. The State Central Committee members from the geographic area corresponding to the jurisdiction of the office that has been vacated shall vote to fill any vacancy occurring in the Democratic Party ticket for a federal, state, district, or multi-county legislative district office statewide office.

11-2. United States Representative. If a vacancy occurs on the ticket for the position of United States Representative and the District consists of whole counties, the vacancy shall be filled by the vote of the members of the State Central Committee from the counties comprising the District.

11-3. Other Vacancies. All other vacancies on the ticket shall be filled by a vote of County Central Committee (CCC) members who reside in those Precincts included in the District, and who are recognized at the County Executive Committee at the time that the vacancy occurred. No vacancies in CCC membership in those Precincts may be filled after the District vacancy has occurred. The CCC membership in those Precincts can be filled subsequent to the vote being taken to fill the District vacancy

RULE 12. JUDICIAL COUNCIL

12-1. The Judicial Council shall be composed of the seven (7) District Directors and the County Vice-Chair, who shall Chair the Judicial Council. The County Vice-Chair shall have a vote on the Judicial Council only in the event of a tie among all present and voting members. The County Parliamentarian shall be an ex-officio, non-voting, member of the Judicial Council. The County Chair may appoint a Democratic attorney as an ex-officio (non-voting) member of the Judicial Council.

12-2. The Judicial Council shall adjudicate disputes arising out of the interpretation or application of County Democratic Party rules. The Judicial Council shall also

- A. Review challenges concerning the election of County Central Committee members, Precinct officials, or County officers;
- B. Interpret rules upon the written request of the County Chair;
- C. Remove Democratic Party officers; and
- D. Adjudicate any other matter referred to the Council by the County Chair.

12-3. A quorum of the Judicial Council shall consist of three-quarters (3/4) of its constituted membership. Any decision shall require a majority vote of those voting, except that in the case of removal of officers, a two-thirds (2/3) vote of the membership present shall be required.

12-4 Any decision of the Judicial Council within its jurisdiction shall be appealable to the State Judicial Council.

12-5. The County Chair shall determine when the Judicial Council will meet, taking into account the need for having the issue resolved promptly, and in no case will the meeting be more than fifteen (15) days from the presentation of the dispute.

RULE 13 PROPORTIONAL REPRESENTATION/VOTING

13-1. The policy of the Democratic Party is to preserve minority representation at all levels of the convention and meeting process, and to that end elected delegations to conventions shall be selected, insofar as is reasonably possible, to represent proportionately any vote.

13-2. Wherever proportional representation is required in any election, which will usually occur when more than one person is to be elected, such as in the elections of nominees of the primary convention delegates to conventions or of Central Committee members, the following voting method shall be used:

Regardless of the number of positions to be filled, each elector will vote for only one (1) candidate. The candidate with the most votes is declared elected, followed by the candidate with the next-most votes, and so on, until all positions are filled. In those elections where equal numbers of men and women must be elected, the man and woman with the most votes are declared elected. The man and woman with the next-most votes are next declared elected, and so on, until all the positions are filled, consistent with the requirement of equal numbers of men and women with a variance of one (1). Should all the positions not be filled, another election shall be held to fill the remaining positions.

RULE 14. 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.

RULE 15. PROXY VOTING

Voting by proxy shall be provided for members of Central Committees in accordance with Rule 5-6.

RULE 16 ALTERNATES

Alternates are provided for delegates to conventions in accordance with County Rule 7-6B.

RULE 17. TIE VOTES

For any elections required under these rules which result in a tie between two (2) or more candidates, the winners will be determined by the drawing of lots, cards, or the flip of a coin.

RULE 18. PROHIBITION OF THE UNIT RULE

Vote by the unit rule, whereby a delegate is required to cast a vote contrary to the delegate's expressed preference, is prohibited in all conventions and meetings.

RULE 19. SECRET BALLOTING

19-1. Secret Elections (Precinct Meetings).

A. Where only one person is to be elected to office, each elector votes by secret ballot for only one candidate.

B. Where more than one person is to be elected to office, each elector votes by secret ballot for only one candidate. The candidate with the most votes is declared elected to the first position, the candidate with the next-most votes is declared elected to the second position, and so on until all positions are filled.

19-2. Non-Secret Elections.

- A. Where only one person is to be elected to office, each elector votes by an elector-identified ballot for only one candidate. In anticipation of runoffs, several differently colored ballots are issued. A single color is 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 s/he represents. The ballots, including the similarly inscribed ballots of electors voting by proxy, are issued at the time of registration for the meeting or convention.
- B. Where more than one person is to be elected to office, voting shall be conducted according to Appendix A of the Rules of the Democratic party of the State of New Mexico, including if required by these rules the requirement of equal division of men and women.
- C. A non-secret ballot as described above may not be waived in favor of a secret ballot under any circumstances.

RULE 20. QUORUM

Except as otherwise provided by these rules, four-tenths (40%) of the total elected membership of any body constitutes a quorum. Written proxies, where permitted, shall count in determining a quorum. Elected or appointed persons affected by reason of any challenge or petition for removal who are also members of the body which will adjudicate the challenge or petition for removal shall not vote in any contest until those persons' credentials are approved or the petition for removal is denied. In such cases, for the purpose of quorum, the body adjudicating the challenge or petition for removal shall be deemed reduced in size by the number of positions being challenged.

RULE 21. USE OF ROBERT'S RULES OF ORDER

In all meetings and conventions, the current Robert's Rules of Order shall govern, except where the matter is covered by these rules or the State rules.

RULE 22. EFFECTIVE DATE

These rules shall be in effect when they have been duly adopted by the Democratic Party of Doña Ana County and when they have been filed as required by law (NMSA 1978, § 1-7-2B (Repl. Pamp. 2005) and any succeeding editions). Any amendments made hereafter to these rules shall be effective thirty (30) days after they have been duly adopted and filed as required by law (NMSA 1978, §1-7-5 (Repl. Pamp. 2005) and any succeeding editions).

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing instrument constitutes the Rules of the Democratic Party of Doña Ana County as adopted on April 5, 2007, by the County Central Committee of the Democratic Party of Doña Ana County at a meeting called and held in accordance with the Rules of the Democratic Party of Doña Ana County.

Party Chair
Democratic Party of Doña Ana County

Party Secretary
Democratic Party of Doña Ana County

ATTEST:

Director, District 33
Democratic Party of Doña Ana County

Director, District 34
Democratic Party of Doña Ana County

Director, District 35
Democratic Party of Doña Ana County

Director, District 36
Democratic Party of Doña Ana County

Director, District 37
Democratic Party of Doña Ana County

Director, District 52
Democratic Party of Doña Ana County

Director, District 53
Democratic Party of Doña Ana County