

CONSTITUTION & BYLAWS OF THE NEBRASKA DEMOCRATIC PARTY
(REVISED AUGUST 2, 2014)

Nebraska Democratic Party

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NEBRASKA DEMOCRATIC PARTY CONSTITUTION

PREAMBLE

We, the members of the Nebraska Democratic Party in order to advance the principles of social justice and democracy, to uphold human and civil rights and constitutional government, to affiliate with and advance the interests of the National Democratic Party, to aid in the election of Democratic officials, and to organize and perpetuate a representative and effective party organization in the State of Nebraska, do establish this constitution for the Nebraska Democratic Party.

ARTICLE I - AUTHORITY

This Constitution supersedes any and all other previous constitutions and/or Bylaws and/or procedures of the Nebraska Democratic Party. This Constitution is the supreme governing document of the Nebraska Democratic Party unless in violation of any Nebraska election law, United States election laws, charter, bylaws and Bylaws or procedures of the Democratic National Committee, in which case it is superseded.

ARTICLE II - NAME OF THE PARTY

The name of this organization shall be the Nebraska Democratic Party (NDP).

ARTICLE III - MEMBERSHIP OF THE PARTY

All registered Democrats who are residents of the State of Nebraska are members of this party.

ARTICLE IV - ORGANIZATION OF THE PARTY

Section 1. State Convention.

- A. Authority. The State Convention is the supreme governing body of the Nebraska Democratic Party. The State Chair shall call a biennial convention during general election years on a date approved by the State Central Committee.
- B. Membership. Delegates to the State Convention shall be apportioned equitably by the State Central Committee under Bylaws of the Nebraska Democratic Party and elected at the biennial general election year County Conventions. In addition, elected officers of the Nebraska Democratic Party shall be automatic delegates to the State Convention.
- C. Functions. The State General Election Convention shall adopt a party platform, elect the State Chair and the two Associate State Chairs to assume office at the State Central Committee meeting immediately following the General Election, elect the National Committeeman and National Committeewoman when necessary, elect State Central Committee representatives, and transact such other business as may be prescribed by law or may come before the convention.

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Section 2. State Central Committee

- A. Authority. The State Central Committee (SCC) shall be the policy-making body of the state party during the interim between state conventions, and shall be responsible for the building of the Nebraska Democratic Party. The State Central Committee shall promote the implementation of the party platform and the election of Democratic candidates. The State Central Committee shall be the ruling authority in the interpretation and defense of the Constitution and Bylaws of the Nebraska Democratic Party during the interim between State Conventions. The State Central Committee shall have the authority to adopt and revise Bylaws governing its organization and the organization and function of committees subordinate to it.
- B. Membership. Membership shall include State party officers, State Executive Committee voting members and delegates and alternates from counties as apportioned by the State Central Committee according to the Bylaws of the Nebraska Democratic Party. Membership shall be limited to active Party members.
- C. Meetings. The State Central Committee shall meet a minimum of four times per year. Two absences without notification during a two-year period will constitute forfeiture of office. The times and places of regular meetings shall be fixed by the State Chair. Special meetings may be called by the State Chair or by a petition of State Central Committee members in a manner consistent with the Bylaws of the State Party. A quorum shall consist of 40 percent of the membership.
- D. Committee. The State Central Committee shall have the authority to establish standing or special committees as prescribed under the Bylaws of the Party.

Section 3. State Executive Committee.

- A. Authority. The State Executive Committee (SEC) shall be authorized to execute the policies and procedures of the State Central Committee during the interim between State Central Committee meetings. Decisions by the State Executive Committee shall be reported to the State Central Committee at its next meeting with the understanding that these decisions may be reviewed, revised, or reversed. The State Executive Committee shall be responsible ultimately to the State Central Committee for its actions.
- B. Membership. The State Executive Committee shall consist of the following as voting members of the Committee:
 - 1. All Officers of the Party as provided in Article IV, Section 5 of this Constitution and any other appointed or elected member to the Democratic National Committee from Nebraska;
 - 2. A designated representative from each Democratic Party Affiliated Caucus Organization recognized as such by the State Central Committee as provided in the By-Laws, and each representative shall be designated by the represented Caucus ;
 - 3. A representative of the County Chairs who is elected by a caucus of County Chairs;
 - 4. If appointed, the Finance Chair and/or two At-Large members who shall be nominated by the State Chair and confirmed by the State Central Committee, said members to serve at the pleasure of the State Chair.

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5. The By-Laws of the Party may provide for ex-officio, non-voting members of the State Executive Committee.
- C. Meetings. The State Executive Committee shall meet at least quarterly. The times and places of regular meetings shall be fixed by the State Chair. Special meetings may be called by the State Chair or by a petition of the State Executive Committee members in a manner consistent with the Bylaws of the State Party. A quorum shall consist of 50 percent of the voting membership.

Section 4. Congressional District Organization.

- A. **Authority.** In order to improve the success of the Nebraska Democratic Party within a Congressional District, a Congressional District Organization (CDO) may be formed. The goals of a CDO shall be to enhance communication between and amongst the county parties, improve and facilitate communication between the county parties and the NDP, better the organization and effectiveness of the county parties, implement policies and programs of the State Party, aid in the election of Democrats to public office within the CDO, and do such activities as requested by the NDP.
- B. **Membership.** County Party Officers and SCC members and alternates shall be members of the CDO of the Congressional District in which they reside. A CDO may provide for additional members as long as those members are registered Democrats within the Congressional District.
- C. **Governance.** The Chair of a CDO shall be the Congressional District Chair of the Congressional District which the CDO represents. The Associate Chair of a CDO shall be the Congressional District Associate Chair of the Congressional District which the CDO represents. The CDO may have additional officers as it provides. The CDO may adopt governing documents for the effective administration of the CDO providing that any governing documents adopted are consistent with the Constitution and Bylaws of the NDP and with the policies and decisions of the SCC. The CDO will coordinate with the NDP Rules Committee Chair when creating these documents. The governing documents must be submitted for approval by the SCC. Changes do not become effective unless approved by the SCC.
- D. **Meetings.** The Chair of a CDO shall call a meeting of the full membership at least once every twelve (12) months. A quorum shall be set in accordance with *Roberts Rules of Order* or a CDO's governing documents.

Section 5. Officers of the Party.

- A. Titles. The following are the officers of the Nebraska Democratic Party: State Chair, First Associate Chair, Second Associate Chair, National Committeeman, National Committeewoman, Congressional District Chairs and Associate Chairs (of the opposite sex) of the respective Congressional Districts, State Secretary, and State Treasurer.
- B. Functions.
 1. State Chair. The State Chair is the Executive officer of the State Party, and shall be elected by accredited delegates assembled in the State Convention. The State Chair shall carry out all policies and programs of the State Party as determined by

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the State Convention, the State Central Committee, and/or the State Executive Committee. The State Chair shall also do everything to initiate, to organize and/or promote development of the state Party at every level throughout the State, and shall perform all other such duties as are prescribed elsewhere in this Constitution and/or in the Bylaws of the Nebraska Democratic Party.

2. Associate Chair. The Two Associate Chairs shall be elected by the accredited delegates assembled in the State Convention. The First Associate Chair shall be of the sex opposite from that of the State Chair and shall assume temporarily the duties of the State Chair in the event of a vacancy in that office. Both Associate Chairs shall assist the Chair in carrying out the functions and duties of the Chair's office.
3. National Committee Representatives. The National Committeeman and National Committeewoman shall be elected by the accredited delegates assembled in the State Convention each presidential election year for a four-year term. The National Committee representatives shall reflect the State Party philosophy to the National Committee, shall act as liaisons between the State and National Parties, shall use their public visibility to the best advantage and aid of the State Party and in soliciting financial support for it, and shall perform all other duties as are prescribed by the Nebraska Democratic Party, and by the Bylaws and procedures of the Democratic National Committee.
4. State Treasurer. The State Treasurer shall be nominated by the State Chair and be confirmed by the State Central Committee. The State Treasurer shall act as custodian of all party monies and shall be responsible for all federal and state reporting procedures. In conjunction with the Finance Committee, the State Treasurer shall assist the State Chair, State Central Committee, and State Executive Committee in the preparation of an annual budget, in periodic budget revisions, and to insure the financial stability of the Democratic Party.
5. State Secretary. The State Secretary shall be nominated by the State Chair and confirmed by the State Central Committee. The State Secretary shall be responsible for transcribing and disseminating the official record of all Party business, whether before the State Convention, the State Central Committee, or the State Executive Committee.
6. Congressional District Chair. The Congressional District Chair shall be elected by the accredited delegates assembled in the Congressional District Caucus at the State Convention. The Congressional District Chair shall be the Chair of the Congressional District Organization if a CDO is established in a Congressional District. The Congressional District Chair shall carry out all policies and programs of the state Party as determined by the State Convention and the State Central Committee. The Congressional District Chair shall also do everything possible to initiate, to organize and to promote development of the Congressional District in cooperation with the State Chair, and shall perform all other such duties as are prescribed elsewhere in this Constitution and in the Bylaws of the Nebraska Democratic Party.
7. Congressional District Associate Chair. The Congressional District Associate Chair shall be of the sex opposite the Congressional District Chair, and shall be elected by the accredited delegates assembled in the Congressional District Caucus at the State Convention. The Congressional District Associate Chair shall

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be the Associate Chair of the Congressional District Organization if a CDO is established in a Congressional District. The Congressional District Associate Chair shall assist the Congressional District Chair and assume temporarily the duties of the Congressional District Chair in the event of a vacancy in that office.

Section 6. County Conventions.

- A. Single Legislative District Counties. Counties wholly within a single Legislative District shall hold a county convention in the manner prescribed by law, and may elect to have delegates to the County Convention register with the election commissioner or county clerk. The County Convention shall elect a County Chair, Associate Chair (of the opposite sex), Secretary, treasurer and any other officers deemed necessary by the County Chair; shall elect delegates and alternates to the State Convention, and may adopt a county platform and transact other such business as may come before it.
- B. Multiple Legislative District Counties. Counties containing all or parts of multiple Legislative Districts shall hold a county convention in the manner prescribed by law, and may elect to have delegates to the County Convention register with the election commissioner or clerk. Each Legislative District shall caucus and elect delegates and alternates to the State Convention. The County Convention shall elect a County Chair, Associate Chair (of the opposite sex), Secretary, Treasurer, and any other officers deemed necessary by the County Chair, and may adopt a County Platform and transact other such business as may come before it.
- C. Area Conventions. Area conventions of two or more counties may be held with prior notice to the State Executive Committee.

Section 7. Congressional District Caucuses.

- A. Meetings. The State Chair shall call for Congressional District Caucuses to be held at the State Convention and each State Central Committee meeting. The time and place of each shall be established by the Bylaws of the State Party.
- B. Membership. Membership at the State Convention caucus shall include the delegates and alternates serving in the place of accredited delegates to the State Convention who reside in each respective district. Membership at State Central Committee meetings shall include all members and alternates of the State Central Committee who reside in each respective district.
- C. Business. The Caucuses shall convene to prepare for the business of the State Convention and/or State Central Committee meeting. Caucus business will also include duties provided in this Constitution and Bylaws and any other business as may come before it.

ARTICLE V - VACANCIES

When a vacancy occurs, it shall be filled at the following State Central Committee meeting in the following manner:

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- A. State Chair, Associate Chairs, or National Committee Representatives shall be replaced by election by the State Central Committee as directed in the Bylaws of the Nebraska Democratic Party.
- B. Central Committee vacancies of delegates and alternates shall be filled through nomination by the appropriate Congressional District Caucus with election by the State Central Committee.
- C. Executive Committee vacancies of members who are appointed by the State Chair shall be filled through nomination by the State Chair with confirmation by the State Central Committee.
- D. Congressional District Chairs or Associate Chairs shall be replaced by election in their respective district caucuses of the State Central Committee following notification of the vacancy.
- E. Vacancies in County Party offices shall be filled through election by the respective County Central Committee or, when a county central committee is not present, by the State Chair.

ARTICLE VI - AFFILIATED ORGANIZATIONS

Organizations subordinated to and affiliated with the Nebraska Democratic Party or any County Democratic Party shall be recognized and encouraged, provided consent of the State Central Committee or appropriate County Central Committee is obtained.

ARTICLE VII - AMENDMENTS

This Constitution may be amended only by a favorable vote of at least two-thirds (2/3) of the accredited delegates assembled in the State Convention, provided said amendment has been presented in writing to the State Central Committee thirty (30) days prior to the State Convention. All amendments shall take effect upon adoption by the State Convention. The Rules Committee shall be authorized to periodically review the Constitution and Bylaws for grammar, spelling, punctuation, enumeration, technical and conforming changes and may make these types of changes that retain the meaning of the language of these documents.

ARTICLE VIII - NO PROXY OR UNIT RULE VOTING

No voting by proxy shall be allowed nor shall the unit rule be applied to any level of party organization.

ARTICLE IX - PROCEDURES

All procedural matters not directly governed by this Constitution or by the Bylaws of the Nebraska Democratic Party shall be governed by the latest edition of *Robert's Rules of Order*, as most recently revised. Meetings may be called by a petition of 15 percent of the membership.

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ARTICLE X - REMOVAL OF OFFICERS

Section 1. Removal of State Party Officers. Removal of an officer of the Nebraska Democratic Party shall be considered upon petition of 25 percent of the members of the State Central Committee, provided that of the minimum required petitioning members, at least 20 percent reside in each Congressional District. Upon delivery of a removal petition to the State Secretary, a special meeting of the State Central Committee shall be called to consider the removal petition, unless a regular meeting is scheduled within thirty days of receipt of the petition. Grounds for removal of an officer of the Nebraska Democratic Party shall be violation of this Constitution or the Bylaws, or conviction of a felonious crime against the State of Nebraska and/or United States of America, or actions or omissions detrimental to the Party. A $\frac{3}{4}$ majority of those members in good standing of the Central Committee present shall be required to affect a removal.

Section 2. Removal of Congressional District Officers. Removal of Congressional District Officers shall be considered upon petition of 25 percent of the members of the State Central Committee Congressional District Caucus. Upon delivery of a removal petition to the State Secretary, a special meeting of the State Central Committee Congressional District Caucus shall be called to consider the removal petition, unless a regular meeting is scheduled within thirty days of receipt of the petition. An officer may be removed by a $\frac{3}{4}$ majority of those members present at the meeting. Grounds for removal shall be the same as for Nebraska Democratic Party officers.

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NEBRASKA DEMOCRATIC PARTY BYLAWS

1. STATE CONVENTION

1.1. General

1.1.1. Official Acts of Nebraska Democratic Party. The determination of a Democratic Party State Convention conducted in accordance with the Official Rules for Democratic Conventions then in force shall be the official acts of the Democratic Party, and no other body, no matter how constituted, shall be authorized to represent the Nebraska Democratic Party, or in any political subdivision thereof, and its determination shall have no force or effect as official acts of the Nebraska Democratic Party or any political subdivision.

1.1.2. Composition. The Democratic State Convention is composed of accredited delegates (and alternates) elected every two (2) years by accredited delegates of County Conventions in accordance with the apportionment determined by the State Central Committee. The allocation shall be based upon a formula allocating a specified number of delegates among the counties based upon an equal weighting of the following factors in the counties against statewide totals: the vote for the Democratic candidate for Governor in the last General Election in which a Governor was elected; the vote for the Democratic candidate for President in the last General Election in which a President was elected; and the number of registered Democrats as of December 31st of the year preceding the election year. In the event that one or more factors cannot be reasonably determined, the State Central Committee may develop a comparable alternative factor to be used to allocate delegates. Final delegates totals allocated to each county may be adjusted to insure that within each county there is at least one delegate from each county and one delegate from each congressional district and legislative district within the county based upon the most recent district boundaries approved by the Legislature. Elected officers of the Nebraska Democratic Party shall also serve as delegates, without alternates, to State Convention.

1.1.3. Time and Place of Convention. The State Convention shall be called in the manner and at the time and place as specified by the State Central Committee except that two (2) successive conventions shall not be held in the same city.

1.1.4. Temporary Officers. The State Convention shall be called to order by the State Chair who shall preside until a Permanent Chair is elected. The State Secretary shall act as Secretary of the State Convention until a Permanent Secretary is elected. In the absence of the State Chair, the State Central Committee shall designate one of its members to act in the place and stead of the State Chair. In absence of the Secretary of the State Central Committee, the Chair of the meeting shall designate some member of the State Central Committee to act as Secretary of the State Convention until the Permanent Secretary is elected by the State Convention.

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- 1.1.5. **Officers of the Convention.** The permanent officers of each State Convention shall be as follows: Chair, Vice Chair, Secretary and Sergeant-at-Arms.
- 1.1.6. **Chair of State Convention.** In the absence of the Vice Chair, the Chair may appoint one who is a member of the Convention to preside temporarily in the Chair's stead, but may not appoint one not a member of the Convention. No appeals from a decision of the Chair are in order on (a) recognition; or, (b) in response to dilatory parliamentary inquiry; or, (c) during roll call. The Chair shall not decide hypothetical questions or inquiries not directly raised by the proceedings. The Chair may direct the Sergeants-at-Arms to remove disorderly spectators
- 1.1.7. **Nomination and Election of Permanent Officers.** Permanent Officers shall be nominated by the State Convention Committee. In addition, nominations for Permanent Officers may be made from the floor by any duly accredited delegate. Permanent Officers shall be elected by a majority of the votes cast on such nominations.
- 1.1.8. **Delegates and Alternates.** The County Conventions shall Select the delegates and alternate delegates to the State Conventions and shall prescribe the terms and conditions under which the alternates shall act in the absence of a delegate or delegates. In the absence of any authenticated proceedings thereon, the delegates present shall designate the terms and conditions under which the alternates shall act as delegates, at the time of the selection of their Delegation Chair and Vice-Chair, and in the absence of action by the County Convention, may define terms and conditions under which the alternates shall act.
- 1.1.9. **Certification.** Prior to the convening of any Democratic State Convention, the Chair and Secretary of each County Central Committee shall certify to the Secretary of the State Central Committee in triplicate the names and addresses of all delegates and alternates to represent such County or any Legislative District therein at the State Convention as soon as practicable after adjournment of the County Convention. Copies shall be delivered to the Committee on Credentials and convention Secretary when possible.
- 1.1.10. **Credentials.** The Committee on Credentials shall prepare and file with the Secretary of the State Convention the names and addresses of all delegates and alternates duly accredited to the State Convention. In the event of contest, Certificates of Election shall be required from the officials of the proper County Central Committee.
- 1.1.11. **Order of Business.** The order of business at all State Conventions shall, as far as possible, be as follows: (a.) Call to Order by State Chair; (b.) Roll Call; (c.) Adjournment for holding Congressional District caucuses except where a Congressional District has elected to caucus prior to State Convention; (d.) Caucuses of the delegates by Legislative Districts to select members of the State Central Committee (applicable for General Election State Convention only); (e.) Convention reconvenes after Congressional Caucuses, State Chair still presiding; (f.) Caucus of delegations to select delegation chairs and vice-chairs pursuant to Bylaw 1, Section 1.1.12; (g.) Upon nomination of Congressional District, election of members of Convention committees (*See*

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- Section 1.3*); (h.) Committees leave assembly room for committee caucuses if needed; (i.) Report of Credentials Committee and action thereon; (j.) Report of Convention Committee and selection of permanent officers of convention; (k.) Address of permanent chair; (l.) Minutes of the last Convention; (m) Report of the Nominations Committee and election of party officers (applicable for General Election State Convention only); (n) Report of the Presidential Electors Committee (in Presidential Election Years only); (o) Reports of the other Standing Committees and action thereon; (p.) Other business; (q.) Adjournment. Introduction of candidates and elected officials and/or speeches from those parties will be at the Chair's discretion
- 1.1.12. **County and Legislative District Delegations.** The delegates attending the State Convention from each county that does not contain two (2) or more entire Legislative Districts shall elect a chair and vice chair of such delegation. Where a county contains two (2) or more Legislative Districts, the delegates attending the convention from each such district shall elect a chair and vice chair. A delegation Chairperson shall: (a) call and preside at any district caucus; (b) poll the delegation; and (c) announce the results of such poll during the convention. A delegation vice chairperson shall act in the capacity of the chair in the chair's absence.
- 1.1.13. **Vacancies.**
- 1.1.13.1 **Vacancies Defined.** A vacancy in the office of delegate or alternate to a Democratic State Convention shall exist whenever a duly elected delegate or alternate from any legislative District or County shall have: (a) died; (b) resigned in writing filed with the Secretary of the County Central Committee or with the Secretary of the State Central Committee; (c) moved from the Legislative District or County which he or she was elected to represent; or (d) changed his or her party affiliation. Further, vacancies shall exist when a County Convention fails to elect sufficient delegates and/or alternates to fill the allocation quota as determined by the NDP.
- 1.1.13.2 **Filling Vacancies.** Prior to the date of any State Convention, when it appears that there is a vacancy, as defined above, the County Central Committee for said County shall elect, from the proper Legislative Districts, or where there are no districts in the County, from the County at large, delegates and alternates to the State Convention to fill such vacancies as exist in such Legislative Districts or County.
- 1.1.13.3 **Certification of Vacancies.** Prior to the convening of any State Convention, the Chair and Secretary of each County Central Committee shall certify to the Secretary of the State Central Committee the names of all delegates and alternates who have been elected by the County Central Committee to fill vacancies in the manner provided for in Bylaw 1.1.13.2; and shall state in said Certificate the cause for each vacancy which a delegate or alternate has been elected.
- 1.2. **Quorums, Majorities, Percentages**
- 1.2.1. **Quorum.** A majority of the total number of delegates authorized by law to constitute the full membership of the State Convention or of a Congressional District Caucus/ Convention shall constitute a quorum.

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- 1.2.1.1 **Business When Quorum Present.** When a quorum is once established, a State Convention may thereafter transact any business which may properly come before it.
- 1.2.1.2 **Business in Absence of Quorum.** In the event that no quorum is present when a State Convention is called to order, such convention may proceed to elect permanent officers and to hear addresses, and in the event no quorum is then present may adjourn to a fixed time and place, which shall not be later than ten (10) days from the date such adjournment is taken; but no other business shall be conducted by said convention.
- 1.2.1.3 **Ascertainment of Quorum:**
By Chair. The Chair of any Convention or caucus may ascertain by his/her view whether or not a quorum is present.
By Roll Call. If the point of order is raised that no quorum is present, the ascertainment of a quorum shall be determined by roll call; but those who are in halls, lobbies, or committee rooms in the building where said convention is being held may be counted in determining whether or not a quorum is present, and the Chair shall have the authority to appoint Sergeants-at-Arms to gather such persons into the convention hall before the count is completed.
- 1.2.1.4 **Procedure in Event of Withdrawal of Members from Convention Hall After Quorum Established.** In the event that any delegates who were present in a State Convention at the time the Chair declared a quorum to be present shall absent themselves from the convention hall for any reason whatsoever, such convention shall proceed to transact its business the same as though a quorum were present at all times and Bylaws 1.2.2 and 1.2.3 shall govern determination of any action taken by the delegates.
- 1.2.2. **What Constitutes a Majority.** A Majority is one (1) more than half; if half is a fraction, then the next whole number constitutes one (1) more than half. A majority of all votes cast on any motion shall be sufficient to pass such a motion unless otherwise provided in these Bylaws.
- 1.2.3. **Determination of Percentages.** When the Statutes or Bylaws require certain percentages of votes cast by a convention to determine any question, such percentage shall be computed on the basis of all of the votes cast upon the question under consideration.
- 1.3. Committees**
- 1.3.1. **Standing Committees.** The two standing committees for each State Convention shall be as follows: (a) Committee on Credentials; (b) Committee to Recommend Nominations of Presidential and Vice Presidential Electors (only during presidential election years).
- 1.3.2. **Selection of Convention Committees.** Prior to the convening of each State Convention, the Chair of each standing committee above named shall be selected by the State Executive Committee with the approval of the State Central Committee. At the time and place to be designated by the State Chair during the State Central Committee meeting scheduled at least sixty (60) days prior to the Convention, the members of the State Central Committee shall hold caucuses by Congressional District to elect temporary members of the following committees. In each such Congressional District caucus, the

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- members of the State Central Committee shall elect two (2) members to serve on the Committee on Credentials, and two (2) members to serve on the Committee to Recommend Nominations for Presidential and Vice Presidential Electors. The Congressional District Chair and Associate Chair of each Congressional District caucus shall promptly certify to the Secretary of the State Central Committee the temporary members elected to serve on the standing committees of the Convention. In order to stand for election as a permanent member of a Convention Committee at the Convention Congressional District caucus, a temporary member must attend the Convention as a delegate or alternate to the Convention.
- 1.3.3. **Duties.** The duties of the two (2) standing committees of the State Convention shall be as follows:
- 1.3.3.1. **Credentials.** Committee on Credentials shall pass upon the qualifications of the delegates and alternates elected to attend the State Convention.
- 1.3.3.2. **Elector Nominations.** Committee to Recommend Nominations for Presidential and Vice Presidential Electors (only during presidential election years) shall nominate to the State Convention the number of party electors to which the State of Nebraska shall be entitled at the following Presidential election. For Congressional District nominees the Committee shall accept the selection of each Congressional District Caucus. For State At-large nominees the Committee shall give preference to the recommendations of each Congressional District Caucus. Nominations may be made from the floor of the Convention by any duly accredited delegate.
- 1.3.3.3. **Minority Reports.** The report of the minority of the members of any Standing Committee of the State Convention or of the State Central Committee shall be considered by the State Convention if signed by one-third of the members of the Standing Committee and offered as a substitute for the majority report.
- 1.4 Rules of Order**
- 1.4.1. **Motion to Adjourn.** A motion to adjourn or a motion to adjourn to meet at a designated time may be made at any time recognition is secured for that purpose, but is not in order during a roll call. A simple motion to adjourn is not debatable and may not be laid on the table, but a motion to adjourn at a certain time is debatable and subject to amendment. A motion to adjourn to a day certain to meet at another place is in order and may be decided by a majority vote.
- 1.4.2. **Amendments.** Amendments to any motion may be made orally, but before consideration thereof must be submitted in writing and must be germane to the propositions to which offered. Agreement to a motion to lay amendment on the table carries with it the proposition to which it is offered. Majority and minority reports from committees are subject to amendment from the floor unless the previous question is operating.
- 1.4.3. **Roll Call.** The roll call shall be called by Counties, and Districts within Counties, and the Chair of the County or District delegation shall take the poll and announce the vote.
- 1.4.4. **Challenges**

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- 1.4.4.1 **From within Delegation.** On roll call by Counties and Districts within Counties, a delegation shall be polled on challenge by any member of the delegation. Demand for poll of delegation or challenge of accuracy of count must be made when vote is reported and comes too late after the next County, or District within a County, is called. Such demand may not be made by anyone not a member of the delegation and no delegate may request a poll of any other delegation than his/her own. The only method by which a poll of a delegation may be had is by challenging the accuracy of the count or report, but such challenge is in order on any vote regardless of the character. The poll of a delegation must include the entire delegation. A demand for a poll of a delegation may be withdrawn any time before the poll starts. The Chair of the Convention may defer a poll until the conclusion of a roll call. When a delegation is polled, the delegates in responding to their names are restricted to the bare announcement of their vote and explanations or comments of any character are out of order.
- 1.4.4.2 **From Floor.** Upon demand from the floor by any delegate, the Chair of the Convention shall call a roll of a delegation to determine the number of eligible delegates thereof present.
- 1.4.5. **Committee Reports.** When Committees are recognized to report, the Chair of the Committee may read the report himself or have it read by the reading clerk of the Convention. At the conclusion of the reading of the report, the Chair has fifteen (15) minutes in which he may (1) speak to the report, (2) yield time to others to speak, or (3) move the previous question. When committee reports are submitted, the question of agreeing to the report is considered as pending. Minority reports from committees must be presented and read immediately following majority reports, and both are then open to debate and amendment, unless the previous question is ordered. When more than one minority report is submitted, all are presented before consideration on the majority report begins, and are taken up in the order presented. The question comes first on minority reports and then on majority report or minority report as amended.
- 1.4.6. **Debate.** Recognition for debate is within the discretion of the Chair, but members of Committees reporting a proposition under discussion are entitled to the floor and take precedence over others desiring to be heard. A delegate desiring to interrupt a speaker shall address the Chair and secure the consent of the speaker. The Chair of a committee making the report may have fifteen (15) minutes to speak. All other debate shall be limited to five (5) minutes to each speaker. No delegate shall speak twice to the same question unless permission is granted by general consent, and then only if all others who wish to speak have been heard.
- 1.4.7. **Decorum.** Delegates and guests are expected to be seated and to refrain from loud conversation during session of the Convention. Aisles and platforms must be kept clear.
- 1.4.8. **Delegates.** A delegate announcing that he/she will not abide by the decision of the Convention is not entitled to participate in its deliberations. Delegates failing to observe Rules of the Convention are subject to expulsion by two-thirds (2/3) vote.

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- 1.4.9. **Division.** A division of the question, and a separate vote on each substantive proposition contained in a committee report or any pending question, may be requested by any delegate, and is in order even after the previous question is demanded.
- 1.4.10. **Motions and Resolutions.** Delegates must secure recognition from the Chair in order to offer a motion, and the Chair may inquire for what purpose the delegate rises, and after hearing the motion, may decline recognition. After an order of business is adopted, no motions are admissible unless in order under the pending item of business or at that particular state of the proceedings.
- 1.4.11. **Points of Order.** Points of order against a proceeding are too late after debate has begun or other business has intervened. Debate on a question of order is within the discretion of the Chair. Points of Order arising during a roll call are decided peremptorily and are not subject to appeal.
- 1.4.12. **Previous Question.** The previous question when ordered precludes both debate and amendment. A Committeeperson presenting a report may move the previous question, but if ordered before any debate is had on the question, twenty (20) minutes of debate is allowed, ten (10) minutes for each side.
Explanation: When a member says, "I move the previous question," such motion is then considered to be the pending question, and the motion which was pending when the previous question was moved is considered to be the previous question.
- 1.4.13. **Recess.** A motion to recess is always in order, and not debatable.
- 1.4.14. **Reconsidered.** When a motion is carried or lost, any member of the majority may move reconsideration at the same session of the convention. This motion takes precedence over all motions except motion to adjourn.
- 1.4.15. **Suspension of Rules.** Motion to suspend the Rules interrupts the regular order of business and is in order at any time except during roll call, but recognition to move suspension is within the jurisdiction of the Chair and the motion requires a two-thirds (2/3) majority. The motion to suspend the Rules may not be amended, reconsidered or laid on the table.
- 1.4.16. **Table.** A motion to lay on the table is used to delay consideration of a motion or amendment. It is not debatable and may not be amended. Unless the motion to table specifies a time certain to resume consideration, a motion to remove it from the table must be made to continue such consideration. An amendment laid on the table carries with it the proposition to which the amendment was offered.
Explanation: A motion to lay on the table is out of order after a pending motion (except an amendment) which has been made and debated, is about to be put on a vote.
- 1.4.17. **Unanimous Consent.** Any action may be taken and any proceeding had by unanimous consent regardless of the Rules or pending order of business, but recognition of any motion to unanimously consent is within the discretion of the Chair and may not be granted except for routine matters and under exceptional circumstances.
- 1.4.18. **Who is Entitled to Speak.** No person who is not a delegate or an alternate who is taking the place of a delegate, shall be permitted to address the

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- convention unless such person has been previously requested to do so by the Democratic State Central Committee or by a three-fourths (3/4) vote of the Convention. Unless otherwise fixed by the State Central Committee, all such speeches shall be limited to three (3) minutes.
- 1.4.19. **Absence of Rule.** In the absence of any rule governing a situation, *Roberts Rules of Order* shall govern the procedure of the Convention, or the Congressional District Caucus.
- 1.5. Voting.**
- 1.5.1. **Qualifications to Vote.** No person shall be permitted to vote in any State Convention unless he/she has been duly elected and certified as a delegate; or, in the absence of such elected delegate, unless he/she has been elected as an alternate in the manner set forth in Article IV, Section 6.
- 1.5.2. **Each Delegate One Vote.** All delegates who are found to be duly qualified shall be entitled to one vote on any question coming before the State Convention.
- 1.5.3. **Proxy or Unit Rule.** No delegate or alternate shall be permitted to vote by proxy and no delegations shall apply to the Unit Rule.
- 1.5.4. **Method of Voting.**
- 1.5.4.1 **Roll Call: Announced by Delegation Chair.** On roll call of the Counties and Legislative Districts within Counties, the vote of the County or Legislative District shall be announced by the Chair of the County or Legislative District delegation, or in his/her absence, by the Vice Chair. Delegations not prepared to announce their vote may be passed and called at the end of roll call.
- 1.5.4.2 **Place of Casting Vote.** In order to vote, a delegate must sit with his/her delegation and may not vote from another part of the hall and may not deputize another to cast his/her vote for him/her.
- 1.5.4.3 **Change of Vote or Abstention.** A delegate may decline to vote or may change his/her vote at any time prior to the announcement of the final result. A delegate proposing to change his/her vote must rise in his/her place and personally request the change.
- 1.5.4.4 **Demand for Roll Call.** A roll call for yeas and nays must be ordered on demand of one-fourth (1/4) of the delegates present.

2. CONGRESSIONAL DISTRICT CAUCUS

- 2.1. **At State Convention.**
- 2.1.1. **Time and Place.** At the beginning of each State Convention, at a time and place to be designated by the State Chair, the State Convention delegates from each Congressional District shall hold a State Convention Congressional District Caucus.
- 2.1.2. **Certification of Delegates Entitled to Vote.** Preceding the convening of each State convention Congressional District Caucus, the Secretary of the State Central Committee shall certify to the District Chair the names of all delegates and alternates entitled to representation at such Congressional District Caucus. The list, so certified to the District Chair shall determine the

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- persons entitled to vote on any question which may come before such caucus. Vacancies shall be filled pursuant to Rule 1.1.13 herein.
- 2.1.3. **Credentials -- How Settled.** Any dispute concerning the credentials of delegates selected to attend any State Convention Congressional District Caucus shall be determined by the Chair, First Associate Chair and Second Associate Chair of the State Central Committee whose certificate resolving such dispute shall be final so far as the membership to any Congressional District Caucus is concerned.
- 2.1.4. **Nomination for Presidential Elector.** At each State Convention Congressional District Caucus in the presidential election years, the Caucus shall select one person properly affiliated with the Democratic Party and legally eligible to serve for nomination by the State Convention to represent such district as a Presidential Elector in the Electoral College. The Caucus shall recommend one person properly affiliated with the Democratic Party and legally eligible to serve for nomination by the State Convention to represent the State At-large as a Presidential Elector in the Electoral College. The District Chair of said caucus shall certify such recommendations to the Chair of the Convention Committee to Recommend Nominations of Presidential and Vice Presidential Electors.
- 2.1.5. **Selection of State Convention Committee Members.** Each State Convention Congressional District Caucus shall select the persons who shall be recommended to the Convention to serve as members of the various Convention committees as provided for in Rule 1.3 of these Bylaws.
- 2.2. **At State Central Committee.**
- 2.2.1. **Time and Place.** A Congressional District Caucus shall be held in conjunction with each meeting of the SCC.
- 2.2.2. **Members Entitled to Vote.** Preceding the convening of a Congressional District Caucus, the Secretary of the SCC may certify to the District Chair the names of all members and alternates of the State Central Committee residing in the district entitled to representation at such Congressional District Caucus. The list so certified to the District Chair shall determine the persons entitled to vote on any question which may come before such caucus.
- 2.3. **At Other Times.**
A Congressional District Caucus may be held at a time and place to be designated by the Congressional District Chair or at least six (6) congressional delegates qualified as defined in these Bylaws.
- 2.4. **Congressional District Caucus Procedures.**
- 2.4.1. **Voting.** Each Caucus member who is found to be duly qualified to vote at any Congressional District Caucus shall be entitled to one vote on any question coming before such caucus. No Caucus Member shall be permitted to vote by proxy. No delegation shall apply the Unit Rule.
- 2.4.2. **Resolutions.** If a Congressional District Caucus wishes to adopt resolutions for presentation to the State Central Committee or the State Convention, it may do so.

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- 2.4.3. **Quorum.** A quorum shall consist of 25 percent of the membership.
- 2.4.4. **State Rules of Order Govern.** In the absence of any Rule governing a situation in a Congressional District Caucus, the Rules of Order then in force as set out in Bylaw Section 1.4 of these Bylaws shall govern the procedure of any Congressional District Caucus.

3. COUNTY ORGANIZATION

- 3.1. **Convention Pursuant to Statute.** Each County shall hold a convention in the manner authorized or permitted by Nebraska State law. In the event that insufficient delegates to a County Convention have been elected in the Primary Election or by Caucus in any County, it shall be the duty of the County Chair to exercise his or her best efforts to provide for the election, appointment, or designation of delegates according to law or to convene precinct caucuses in the manner provided by law.
- 3.2. **Election of County Officers and Committee.** At the County Conventions, a County Chair, a County Vice-Chair, a Secretary of the County Committee and Treasurer of the County Committee should be elected. The County Executive Committee is composed of the elected officers of the County Committee. The County Committee shall be composed of the elected officers of the County Committee and the committeemen and women elected at the County Convention. Meetings of the County Committee may be called by the Chair or by a majority of the Executive Committee or by at least six (6) committeemen and women at such time and place as may be designated in the call. The County Vice-Chair shall preside in the absence of the Chair. If the County Chair is removed from office, relocates his or her residence from the County, dies, resigns or changes party affiliation, a vacancy shall exist. Vacancies in County Party offices shall be filled through election by the respective County Central Committee, or according to the Constitution or Bylaws of the County Party or according to the provisions of Section 3.3 of these Bylaws, if applicable.

In the event there is not a Vice-Chair to call a meeting, the County Committee Meeting may be called by at least six (6) committeemen and women or by the State Chair for the purpose of electing a new County Chair.
- 3.3. **Filling County Chair Vacancy.** In the event of the removal of a County Chair by the State Central Committee or its Executive Committee, the County Executive Committee shall select a new County Chair within one (1) month and immediately notify the State Central Committee Chair of its selection. In the event of any vacancy in the office of County Chair continuing for a period of more than one (1) month, the State Central Committee Chair shall have the authority to appoint an acting County Chair who shall hold office until the holding of the next County Convention.
- 3.4. **Gender Balance.** If the Chair is a man, the Vice-Chair shall be a woman. If the Chair is a woman, the Vice-Chair shall be a man.
- 3.5. **Governance.** County Parties are authorized to adopt Bylaws consistent with the NDP Constitution and Bylaws. Upon adoption or amendment of Bylaws, the County Party shall provide such bylaws to the NDP Rules Committee.

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Lacking any formal Bylaws of their own, a County Party shall be governed by the applicable portions of the NDP Constitution and Bylaws.

4. DEMOCRATIC NATIONAL COMMITTEE

4.1. Election of National Committeeman and National

Committeewoman. During presidential election years, convention delegates shall elect two (2) members of the Democratic National Committee from Nebraska, a National Committeeman and a National Committeewoman, who shall serve for a term of four (4) years each and until their successors are elected and qualified. Said four-year term shall begin after the Democratic National Convention.

4.2. State Chair and First Associate Chair. In accordance with the Bylaws of the Democratic National Committee, the Chair and 1st Associate Chair of the Nebraska Democratic Party shall serve as members of the Democratic National Committee for terms concurrent with their terms as State Party officers.

4.3. Other Elected or Appointed Members. Additional elected members of the Democratic National committee are allocated on the basis of population and the Democratic vote for President as stipulated in the Charter and Bylaws of the Democratic Party of the United States. Should an additional member be allocated to Nebraska, the State 2nd Associate Chair would fill that position. The Democratic National Committee has authority, as proscribed in its Charter and Bylaws, to appoint additional members to that body. Such appointed members serve terms as stipulated by the DNC when appointed, but not longer than beyond the day the next National Convention adjourns.

4.4. Vacancies. Any vacancy in such membership of the Democratic National Committee from Nebraska shall be filled for the unexpired term by the Democratic State Central Committee.

4.5. Certification of Elections. Following any election of such a National Committeeman or National Committeewoman from Nebraska, or State Chair and First Associate Chair, the Chair and Secretary of the Democratic State Central Committee shall forthwith certify the election of such person or persons to the Secretary of the Democratic National Committee.

5. STATE CENTRAL COMMITTEE

5.1. Duties and Powers

5.1.1. General Powers. The State Central Committee shall be the permanent agency authorized to act on behalf of the State Nebraska Democratic Party during the intervals between the State Convention. It is a creature of the State Convention and therefore subject to its authority as may be granted to it by the State Convention. Further, it shall also have power and authority to do all things reasonably necessary to promote the success of the Democratic Party in National, State and Local tickets at any general election, and to perform any functions imposed upon it by law or any State Party Convention.

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- 5.1.2. **Specific Powers.** In addition to the general powers listed above, the State Central Committee shall have the following duties and powers:
- 5.1.2.1 Raise funds and supervise expenditures of such funds and any funds received from the National Committee for use within the State for the financing of the State Convention, campaign expenses and maintenance of the State Party Office;
 - 5.1.2.2 Maintain a State Office at a location to be determined by the State Central Committee and determine policies, procedures, and legal arrangements for its statewide operation and personnel;
 - 5.1.2.3 Provide appropriate assistance in statewide general election campaigns;
 - 5.1.2.4 Fill vacancies for State or National Office on the Democratic State Ticket occurring by reason of change of party affiliation, death, declination or resignation of any nominee of the Democratic Party within the State;
 - 5.1.2.5 Provide press and radio service, Speaker's bureaus, and organization supervision by supplying literature, speakers and Democratic Party representatives;
 - 5.1.2.6 Be a liaison with Congressional District, Legislative District and County Committees and coordinate all campaign-related work throughout the State;
 - 5.1.2.7 Make provisions for State Conventions including the selection of time and place, authorization of call and determination, within the terms of applicable statutes, of the representatives of such State Conventions;
 - 5.1.2.8 Make physical arrangements for State Conventions, including hotel reservations, seating for delegates and visitors, granting concessions, adjustment of auditorium to requirements, installation of telephone, public relations and press facilities;
 - 5.1.2.9 Prepare a temporary roll of delegates to State Conventions accepted as prima facie correct pending the reports of the Committee on Credentials;
 - 5.1.2.10 Call and convene a special State Convention composed of delegates duly accredited to the last State Convention for the purpose of transacting any special business; provided at least ten (10) days' notice shall be given by mail to each delegate of the time, place, and purpose of such special State Convention; (The business to be transacted at such State Convention shall be governed by these Bylaws insofar as the same are applicable.)
 - 5.1.2.11 Nominate for election by the Democratic National Committee a proper person to fill any vacancy in the National representation of the Democratic National Committee;
 - 5.1.2.12 Remove by two-thirds (2/3) vote of those attending for good cause, and after two (2) weeks notice and hearing, any County Chair or State Central Committee Member who has failed to attend the duties of his or her office or who publicly opposes the election of a Party nominee for local, state or national office. Publicly opposing a candidate from whom State Party resources have been withheld under Bylaw 7.3 shall not constitute grounds for removal;
 - 5.1.2.13 Cause to be printed or made electronically available, sufficient copies of these Bylaws to distribute one copy to each Delegate and Alternate elected to any Democratic State Convention and to each officer of each County Central

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- Committee, and to supply extra copies thereof to properly interested parties; and
- 5.1.2.14 To create and enforce policy regarding, relating to, or defined in the party platform; provided that any policy created by the State Central Committee that in any way is in conflict or not in accord with the State Party Platform must be presented in writing to the Executive Director or State Party Chair no later than twenty-eight (28) days prior to the next regularly scheduled or special meeting and must be mailed or delivered to each Central Committee Member no later than fourteen (14) days prior to the next regularly scheduled or special meeting at which it may be discussed and voted on.
- 5.2. **Composition.** The State Central Committee shall consist of: all State Executive Committee voting members; and one man and one woman nominated by the legislative district caucuses herein provided for and elected by the majority vote of the State Convention before adjournment. Each member shall have only one vote at any meeting of the State Central Committee. In addition, each legislative district caucus shall nominate one man and one woman to be alternate committee members who will be elected by the majority vote of the State Convention and who shall only be empowered to vote in the absence of the elected State Central Committee member from their district.
- 5.3. **Officers.** Officers of the State Central Committee shall be the State Chair, two (2) Associate Chairs, the National Committeeman and the National Committeewoman. These officers shall be nominated by the Nominating Committee. Nominations may be made from the floor by any duly accredited delegate. A majority of the votes cast on such nominations shall be necessary to elect said officers.
- Additional officers of the State Central Committee shall be the Congressional District Chairs and Associate Chairs who are elected in their respective Congressional District Caucuses, the State Treasurer and the State Secretary. The State Treasurer and State Secretary shall be appointed by the State Chair and approved by the State Central Committee.
- 5.3.1. **Assistant Treasurer** – The State Treasurer may appoint an Assistant Treasurer whose appointment must be approved by the State Chair and the State Executive Committee. The Assistant Treasurer may be an employee of the Nebraska Democratic Party. The Assistant Treasurer will perform such duties as are assigned by the State Treasurer or these Bylaws.
- 5.4. **Terms.**
- 5.4.1. **Members.** Members elected to the State Central Committee shall continue in office until their successors are elected at the next succeeding General Election State Convention, or as otherwise provided herein. However, any member of the Committee ceasing to meet the qualifications of Article III of the Constitution or who shall cease to be an active member of the State Democratic Party shall cease to be a member of the Committee as of the time when such qualifications are not met.

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- 5.4.1.1 **Definition of “Active Member”.** An active member of the State Democratic Party shall be an individual who evidences his or her commitment to the party by regular attendance at committee meetings, service on party committees, service in public office, volunteer work on electoral campaigns of party members, work on voter recruitment and registration, financial contributions to the state party and party candidates, or commitments of personal time and resources to the state party organization and its activities.
- 5.4.2. **Officers.** Officers of the State Central Committee shall continue in office until their respective successors are elected consistent with Article IV and Article V of the Constitution.

5.5. **Meetings.**

- 5.5.1. **Time and Place.** The newly elected State Central Committee shall hold an organizational meeting immediately after the adjournment of the State Convention. Subsequent meetings of the State Central Committee are subject to the call of the State Chair or of any six (6) members of the State Central Committee.
- The State Chair shall call at least four (4) meetings each year scheduled among the Congressional Districts on an equitable basis. The organizational meeting of a State Central Committee shall not be considered a meeting for purposes of this rule. The State Chair will fix the time and place of all such meetings with the approval of the State Central Committee.
- 5.5.2. **Quorum.** Quorum for a State Central Committee meeting is forty percent (40%) of the total membership.

5.6. **N D P Employees.**

- 5.6.1. The office of Executive Director of the Nebraska Democratic Party shall exist to execute the daily affairs of the Party and assist the party officers and Committees in the execution of their respective duties. The Executive Director shall be hired by the State Chair with the approval of the State Executive Committee and with notification provided within twenty-four hours to the State Central Committee. The Executive Director shall be the Assistant Secretary and Assistant Treasurer of the Party unless otherwise directed by the State Chair or State Central Committee. The Executive Director shall perform such other duties as prescribed by the State Chair, the Constitution, or these Bylaws.
- 5.6.2. The State Chair may designate such paid positions as are deemed necessary. The existence of such positions requires the approval of the State Central Committee.

5.7. **Affiliated Caucus Organizations.**

- 5.7.1. **Recognition and Qualification.** Affiliated Caucus Organizations (ACOs) shall be recognized to aid and assist the Nebraska Democratic Party in organizing a specific constituency for the benefit of the party and its candidates for elected office. An ACO must be an organized group of

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- Nebraska Democrats with members from every Congressional District who support the NDP and its policies and objectives. Membership will include registered Democrats and may include persons who will register as Democrats upon becoming eligible to vote. Recognition of an ACO by the State Central Committee shall be dependent upon the quality and integrity of the ACO's governing documents, the ACO's effectiveness and the ACO's strategic importance to the long-term growth and success of the Nebraska Democratic Party.
- 5.7.2. **Recognition Procedures.** Initial application for Recognition from a prospective ACO shall be referred to the Rules Committee to review. The Committee shall: review the prospect's governing documents and meet with its leadership; ensure that the prospect provides a functional, democratic process for amending its documents, electing its officers, and achieving its purpose; and make a recommendation to the State Central Committee on whether to Recognize the prospect as an NDP ACO. Recognition must be approved by a majority vote of the State Central Committee. Recognition of an ACO shall run concurrently with the biennial term of a State Central Committee.
- 5.7.3. **Responsibilities.** ACOs shall take no public position that is inconsistent with the NDP Platform and shall not publicly endorse a candidate who is not a registered Democrat in any election. Each ACO shall abide by state and federal election laws regarding political committees. Each ACO must agree to give its membership list (including names and contact information) to the State Party or contact its members on behalf of the State Party when requested. Each ACO must provide the State Party with its officers' names and contact information.
- 5.7.4. **Representation.** Upon selection of an ACO's duly authorized representative to the NDP, the elected leader of the ACO shall notify the State Chair of the name and contact information of that representative. Two absences from meetings of the State Executive Committee or State Central Committee during a biennial term by the designated representative or alternate will result in suspension of the ACO pending a Review by the State Rules Committee.
- 5.7.5. **Continued Recognition.** Recognition shall be automatically renewed for a new biennial term upon the ACO's submission of its current organizational documents and updated names and contact information of its officers to the State Chair by the conclusion of the State Convention preceding said biennial term. Failure to provide the appropriate data shall cause the ACO's Recognition to be suspended pending a Review by the State Rules Committee.
- 5.7.6. **Review.** Recognition of an ACO may be reviewed by the State Rules Committee as provided in these Bylaws or at the request of the State Central Committee to determine whether an ACO meets all requirements of these Bylaws while complying with the ACO's own organizational documents. The Rules Committee shall make a recommendation on Continuing Recognition of the ACO to the State Central Committee. Revocation of Recognition of an ACO must be approved by a majority vote of the State Central Committee.

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- 5.8. **Officer Vacancies.** The State Central Committee shall fill vacancies in the offices of State Chair, the State Associate Chairs, and National Committee Members if such vacancies occur between Conventions. The methods to do so are:
- 5.8.1. State Chair – The First Associate Chair will assume the duties of the State Chair on a temporary basis until a new Chair is elected. Election of a new Chair shall occur at the first regular quarterly State Central Committee meeting after the vacancy occurs. Procedure for such election shall be determined by the State Central Committee.
- 5.8.2. Associate Chairs and National Committee Members – Election of any of these officers shall occur at the first regular quarterly State Central Committee meeting after the vacancy occurs. Procedure for such election shall be determined by the State Central Committee.
- 5.9. **State Executive Committee.**
- 5.9.1. **Duties and powers.** The State Executive Committee shall be authorized to act on behalf of the State Central Committee during intervals between meetings of the State Central Committee, shall have the power and authority to do all things reasonably necessary to promote the success of the Democratic National, State and Local election tickets at any general election and the power to perform any functions imposed upon it by law or by the State Central Committee.
- 5.9.2. **Terms.** Members of the State Executive Committee shall continue in office until their successors are duly elected or appointed. However, all members of the Committee ceasing to meet the qualifications of Article III of the Constitution shall cease to be members of the Committee as of the time when such qualifications are not met.
- 5.9.3. **Quorum.** Quorum for the State Executive Committee shall be fifty percent (50%) of the voting membership.
- 5.9.4. **Non-voting members.** Non-voting members of the State Executive Committee shall include (a) each statewide and federal elected office holder who is a registered Democrat, and (b) one (1) mayor of the largest city having a registered Democrat as mayor from each Congressional District. Each of these elected office-holders may designate an individual to represent him or her on the State Executive Committee if they are unable to actively participate at a meeting.
- 5.9.5. **Meetings.** The State Executive Committee shall meet at the call of the State Central Committee Chair who shall fix the time and place of all such meetings. The State Executive Committee shall meet at least quarterly. The times and places of meetings shall be fixed by the State Chair or by petition of five (5) voting members of the State Executive Committee.
- 5.9.6. **Vacancies.** Vacancies for any reason on the State Executive Committee shall be filled in accordance with the provisions of the Constitution, see also Rule 5.1.2.11.
- 5.9.7. **Awards.** The State Chair may appoint a selection committee to make nominations for all state party awards. Nominations shall be solicited from,

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including but not limited to, the State Central Committee and the Executive Committee. All awards made on behalf of or in the name of the Nebraska Democratic Party shall be approved by the Executive Committee prior to the announcement of the award. A listing of award recipients and selection procedures shall be kept on file at the State Party Office.

5.10. Committees.

5.10.1. Standing Committees. Standing committees of the Nebraska Democratic Party shall include: Platform and Resolutions; Rules; State Convention; Finance; Nominating; Archives and Historical Preservation; Technology; and Audit and Review. Committee Chairs shall be appointed by the incoming State Chair with the approval of the State Executive and Central Committees no later than 90 days following the State Convention. Committee members to be selected by Congressional District Caucus shall be elected by said caucus at the first meeting of the State Central Committee. The organizational meeting of a new State central Committee shall not be considered the "first meeting" for purposes of this rule only.

5.10.1.1. Platform and Resolutions. The Platform and Resolutions Committee of the Nebraska Democratic Party shall develop the Party's platform and resolutions in a timely, orderly and open process, for presentation and action at each State Convention.

5.10.1.1.1 Composition. Each Congressional District Caucus shall elect four men and four women to serve on the Platform and Resolutions Committee. Committee members, including the Committee Chair, are not automatic Convention delegates, but are encouraged to seek such election.

5.10.1.1.2 Hearings. The committee shall conduct at least one platform hearing in each of the State's Congressional Districts during the general election year and county chairs shall be informed of such hearings. A final platform hearing shall be conducted in conjunction with the State Convention.

5.10.1.1.3 Platform Report. The committee shall submit a preliminary platform (exclusive of changes proposed following the convention hearing conducted pursuant to Rule 5.10.1.1.2), including minority reports, in writing to the State Chair not later than three days following the last County Convention in the year of the biennial State Convention. The Committee's Final Report to the convention delegates at the State Convention shall include the proposed Platform and resolutions recommended for adoption, those forwarded without recommendation and a list of those rejected by the committee. A two-thirds (2/3) vote of the Convention Body shall be required for consideration of a resolution not previously submitted to the Committee. If a two-thirds (2/3) vote is not given, the presiding officer may refer the matter to the Committee for report and action at the next regular meeting of the State Central Committee.

5.10.1.1.4 Petition. Platform items or resolutions rejected by the Committee may be considered by the Convention body provided that a written petition, containing the substitute language, signed by at least 20 percent of the Convention delegates present when quorum was established, is distributed to

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- the Convention prior to debate on the platform. A petition must contain signatures from each Congressional District with no Congressional District represented by more than 50 percent of said signatures.
- 5.10.1.2. **Rules.** The Rules Committee of the Nebraska Democratic Party shall prepare recommendations on: amendments to the Party Constitution; amendments to the Party Bylaws; the rules and order of business for the State Convention; and shall perform such other duties as assigned by the State Chair or State Central Committee. The Rules Committee shall make recommendations to the State Central Committee regarding Affiliated Caucus Organization recognition following the Rules Committee's initial or requested review of ACOs.
- 5.10.1.2.1 **Composition.** Each Congressional District Caucus shall elect two men and two women to serve on the Rules Committee. Committee members, including the Committee Chair, are not automatic convention delegates, but are encouraged to seek election.
- 5.10.1.2.2 **Reports.** Written notice of proposed changes in the Party Constitution shall conform with provisions of such in the Constitution. Rules and the order of business for the State Convention shall be provided in writing to the delegates prior to the convening of the convention. Proposed changes in Bylaws for the state Central Committee shall be provided in writing to members at least 10 days prior to any vote on said changes.
- 5.10.1.3. **State Convention.** The State Convention Committee of the Nebraska Democratic Party shall: select and nominate qualified people to serve as Permanent Officers of the State Convention; serve as the site selection and arrangements committee and make recommendations on the site and arrangements for approval by the State Central Committee.
- 5.10.1.3.1 **Composition.** Each Congressional District Caucus shall elect two men and two women to serve on the State Convention Committee. The State Chair may appoint additional members to the Committee necessary to its function once a Convention site has been approved. Committee members, including the Committee Chair, are not automatic Convention delegates, but are encouraged to seek such election.
- 5.10.1.3.2 **Reports.** The Convention Committee shall make its recommendation on a site for State Convention in accordance with Congressional District rotation and the Bylaws of the Party one-year in advance of the Convention, if possible. The Committee's final report on the nomination of Permanent Convention Officers shall be presented at State Convention.
- 5.10.1.4. **Nominating.** The Nominating Committee of the Nebraska Democratic Party shall solicit and encourage qualified people to serve in the offices of State Chair, First and Second Associate Chairs, National Committeeman and National Committeewoman and conduct the nominating proceedings at the appropriate State Convention or State Central Committee meeting. Nominations for these offices may also be made from the floor by any duly accredited delegate.
- 5.10.1.4.1 **Composition.** Each Congressional District Caucus shall elect two men and two women to serve on the Nominating Committee. Committee members,

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- including the Committee Chair, are not automatic Convention delegates, but are encouraged to seek such election.
- 5.10.1.4.2 **Reports.** The Committee shall report the nomination of the State Chair, Associate Chairs and National Committeeman and National Committeewoman at the appropriate meeting of the State Central Committee or State Convention; and in the case of any vacancy in said offices, the next scheduled State Central Committee meeting or State Convention following notification of a vacancy.
- 5.10.1.5. **Finance.** The Finance Committee of the Nebraska Democratic Party shall be responsible for the development and implementation of an annual finance plan to include the evaluation of all fund raising activities and events.
- 5.10.1.5.1 **Composition.** The Finance Committee shall be composed of at least one individual from each Congressional District appointed by the State Chair.
- 5.10.1.5.2 **Reports.** The Finance Committee shall submit an annual plan for fundraising to the State Central Committee no later than the end of the first quarter of each calendar year and shall provide for a report on said fund raising at each meeting of the State Central Committee.
- 5.10.1.6. **Archives and Historical Preservation.** The Archives and Historical Preservation Committee shall be responsible for gathering, collecting, indexing, organizing, and preserving the documents, data, and materials relating to the history and activities of the Nebraska Democratic Party in whatever form or medium it exists or may be available for the purpose of insuring that an accurate record of the Party's history and activities is preserved for future reference or edification.
- 5.10.1.6.1 **Composition.** The Archives and Historical Preservation Committee shall be composed of at least one individual from each Congressional District appointed by the State Chair.
- 5.10.1.7. **Technology.** The Technology Committee shall provide feedback on new technology proposals, oversee NDP technology security and annually review the state of NDP technology - recommending changes as new technology becomes available and as prices change.
- 5.10.1.7. **Definition.** The term "technology" shall include all hardware, software, servers, and internet use of computers (desktop, notebook, handheld devices, and accessories), and shall include webpage design and function, central file and record maintenance, use of internet-based resources, and electronic mail (email) communications.
- 5.10.1.7.2 **Composition.** Each Congressional District Caucus shall elect one man and one woman to serve on the Technology Committee. Those elected shall be familiar with new technologies and technology issues or have the time and commitment to research relevant technology issues. The Committee Chair may appoint other non-voting members to further the goals of the committee.
- 5.10.1.7.3 **Reports.** The Technology Committee shall provide a written report directly to the SEC and SCC and to the group making the technology proposals. A written "State of Technology Report" shall be provided to the SCC at their 4th quarter meeting each year.
- 5.10.1.8. **Audit and Review.** The Audit & Review Committee shall review expenditures by the Nebraska Democratic Party to ensure that expenditures

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- comply with the budget or are approved by the State Central Committee. The Committee shall have full access to all financial records.
- 5.10.1.8.1 **Composition.** Each Congressional District Caucus shall elect one man and one woman to serve on the Audit & Review Committee. Those elected shall be familiar with general accounting practices and principles. The Committee Chair may appoint other non-voting members to further the goals of the Committee.
- 5.10.1.8.2 **Reviews and Reports.** The Committee may review records at any time and make necessary recommendations to the State Central Committee, State Executive Committee or Party Officers. A Full Review shall be conducted for a two-year period beginning on January 1 of an odd numbered year through December 31 of an even numbered year. The Committee shall present a report and findings of its Full Review to the State Central Committee no later than the second State Central Committee meeting in the following odd numbered year. The report shall recommend whether an additional outside audit is needed and what type of audit is needed.
- 5.10.2. **Minority Reports.** The report of the minority of the members of any Standing Committee shall be considered if signed by one-third of the members of the Standing Committee and offered as a substitute for majority report.
- 5.10.3. **Special Committees.** The State Chair may establish any special committee as deemed necessary to carry out the functions of the party. Special committees must be approved by the State Central Committee. They should be of limited duration and exist for a specific purpose or goal. Membership on a special committee should be relevant to the purpose of the committee and must include representation from all Congressional Districts.
- 5.11. **Handling of State Party Finances.**
- 5.11.1. **Treasurer to Deposit and Control all Funds.**
- 5.11.1.1 All monies received as contributions, donations, dues, or otherwise by or for the State Central Committee or any club or association organized or operated under its express authority shall be paid to and accounted for by the Treasurer of the State Central Committee, who shall deposit all said funds in a bank or banks in the name of the Nebraska State Central Committee.
- 5.11.1.2 All funds deposited to any bank account of the Nebraska State Central Committee shall be withdrawn only on vouchers signed by the State Treasurer or Assistant State Treasurer.
- 5.11.2 **Approval of Payments by State Chair.**
- 5.11.2.1 The State Treasurer or Assistant State Treasurer shall only pay out funds of the State Central Committee on itemized statements which bear the signed approval of the State Chair or an Associate Chair designated in writing by the State Chair to approve the payment of such accounts.
- 5.11.2.2 The Chair or Associate Chairs of the Party shall not approve the payment of any statement which is submitted contrary to the provisions of these Bylaws and unless in the opinion of the approving officer reasonably exercised such statement represents services, merchandise, supplies, donations, or loans

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- properly obtained or used and applied or to be so used and applied for the promotion of the welfare of the Democratic Party in Nebraska or the nation.
- 5.11.2.3 **Dual Signature Requirement.** Any check or negotiable instrument of over \$1,000.00 drawn on any account of the Nebraska Democratic Party shall require the approval of two persons authorized by the State Central Committee. The approval may be the signatures of the authorized persons on the check or negotiable instrument or on a document of payment authority to issue such check or negotiable instrument.
- 5.11.3. **Bonding of Treasurer.** At the discretion of the State Central Committee, the State Treasurer of the State Central Committee shall be bonded by a surety company in the sum of \$25,000, said bond to be approved by the State Chair, by the State Executive Committee or State Central Committee.
- 5.11.4. **Salaries, Wages, Commissions.**
- 5.11.4.1 No Salaries or wages to be paid for a period of over two (2) months shall be paid to any person without previous authorization by the State Central Committee or the State Executive Committee.
- 5.11.4.2 No commission for collection of funds or performance of service shall be paid to any person unless the payment of such commission has been previously authorized by the State Central Committee or the State Executive Committee.
- 5.11.5. **Treasurer's Reports.** Quarterly reports of receipts and expenditures shall be made by the State Treasurer to the State Chair, who shall make the same available to the State Central Committee and the State Executive Committee.
- 5.11.6. **Audits and Reviews.** The State Central Committee shall have the right to adopt recommendations and reports of the Audit and Review Committee or of an outside independent auditor.
- 5.11.7. **Voluntary Contributions.** Contributions to the Democratic Party in Nebraska or any of its authorized agencies shall always be solicited and received on a strictly voluntary basis.
- 5.12. **Coordinated Campaigns**
- 5.12.1. **Definition.** The Coordinated Campaign is a political committee affiliated with the Nebraska Democratic Party through the Nebraska Democratic State Central Committee. Its purpose shall be to conduct Voter Registration, Voter Identification, Get Out the Vote and other activities consistent with the guidelines established by the Federal Election Commission, State Accountability and Disclosure Commission, and the Nebraska Democratic Party for candidate campaigns in the State's various political subdivisions including, but not limited to Federal, State and Legislative District campaigns.
- 5.12.2. **Powers.** The Coordinated Campaign shall be empowered to raise and expend funds, conduct campaign activities, enter into contracts and generally conduct business in furtherance of its defined purpose. The Coordinated Campaign, however, shall not have the authority to obligate financially or otherwise, the Nebraska Democratic Party, the State Executive Committee or State Central Committee without prior approval of a majority vote of the State Executive Committee.

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- 5.12.3. **Governance.** The Coordinated Campaign shall have the authority to create its own structure with the State Party Chair and his/her designate as Director, and to establish its own policies and procedures; however, the governing body of the Coordinated Campaign shall include the State Party Chair, National Committeeman and Committeewoman and other State Party Executive Committee members, appointed by the State Party Chair, necessary to provide representation from each Congressional District.
- 5.12.4. **Reporting.** The Coordinated Campaign shall report to the State Central Committee concerning its activities at each regularly scheduled meeting of the SCC or at the special request of the same.
- 5.12.5. **Accounting.** The Coordinated Campaign shall account for all of its income and expenditures to the SCC on an annual basis and shall update the SCC concerning its funds at each regularly scheduled SCC meeting or upon the special request of the same.
- 5.12.6. **Nature of Reporting or Accounting.** Nothing in the reporting or accounting provisions of these Bylaws shall be construed to include such detail of financial or strategic operations that the proprietary interests or operations of participating campaigns would be compromised or made available to opposing campaigns or candidates.

6. ELIGIBILITY FOR BALLOT

- 6.1. It is contrary to the policy of the Nebraska Democratic Party for the name of any person to be placed upon the primary ballot of the Democratic Party as a candidate for nomination, election, or preferential vote in any state or county primary election if such a person is not affiliated with the Democratic Party. Further the name of no such person should be placed upon the primary ballot of the Democratic Party as a candidate for nomination, election or preferential vote in any state or county primary election if such person has announced his/her intention of being a candidate for public office on the ticket of any other than the Democratic Party concurrently with being a candidate for public office on the ticket of the Democratic Party.
- 6.2. In the absence of any statute specifically denying the right of the Nebraska Democratic Party to determine the names of those who may be or may not be placed by the Secretary of the State or a proper County official on the Democratic primary ballot at any primary election held within the State of Nebraska (a) no person shall be permitted to file or be filed on a primary election ballot of the Democratic Party as a candidate for nomination, election, or preferential vote, in a state or county primary election who is not affiliated with the Democratic Party, and (b) no person shall be permitted to file or be filed on a primary ballot of the Democratic Party as a candidate for nomination, election, or preferential vote who has announced his/her intention to be a candidate for public office on the ticket of any political party other than the Democratic Party concurrently with being a candidate for public office on the ticket of the Democratic Party.

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7 PARTY RESOURCES

- 7.1. **Defined.** Party resources are those materials, physical or intellectual, that are produced by the State Democratic Party or on its behalf or at its request and which are funded by the State Democratic Party. Party resources also include staff members hired by the State Democratic Party.
- 7.2. **Use.** Party Resources are to be used to promote the success of the Democratic Party. Party Resources are not an entitlement to any candidate or recognized affiliated caucus organization. The allocation of party resources is at the discretion of the State Chair or the Chair's designee and subject to review by the State Executive Committee or the State Central Committee as circumstances warrant
- 7.3. **Withholding Resources.** Under extraordinary circumstances State Party resources may be withheld from a candidate who is a registered Democrat or a recognized affiliated caucus organization. These circumstances may include, but shall not be limited to, a candidate whose opponent is an incumbent Democrat, a person who has not been an active Democrat, a candidate whose campaign organization is dominated by and supported by other political parties, a candidate who has failed to report his or her financial status to the Federal Election Commission or the Nebraska Accountability and Disclosure Commission, and a recognized affiliated caucus organization that compromises the goals, strategy, policy, or integrity of the Nebraska Democratic Party.

8. RULES OF ORDER

- 8.1. **NDP Committees, Organizations and Affiliates.** The Rules of Order in this Bylaw pertain to Meetings of any Committee, Organization or Affiliate (each referred to as "Group") of the Nebraska Democratic Party unless a Group adopts a written set of Rules of Order for its conduct of business in meetings. These Rules of Order do not pertain to the State Convention (See Bylaw 1). In this Bylaw members of any such Group are referred to as "members" even though the Group's members may have a different title.
- 8.2. **Motions and Resolutions.** Members must secure recognition from the Chair in order to offer a motion, and the Chair may inquire for what purpose the member rises, and after hearing the motion, may decline recognition. After an order of business is adopted, no motions are admissible unless in order under the pending item of business or at that particular state of the proceedings. Motions may be stated orally or in writing. Resolutions must be submitted in writing.
Explanation: Unless otherwise indicated, all actions discussed in this Bylaw take a majority to pass.
- 8.3. **Amendments.** Amendments to any motion may be made orally or in writing and must be germane to the propositions to which offered. Amendments to Resolutions must be in writing and germane to the Resolution being offered. Majority and minority reports from committees are

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- subject to amendment from the floor unless the previous question is operating.
- 8.4. **Debate.** Recognition for debate is within the discretion of the Chair, but members of Committees reporting a proposition under discussion are entitled to the floor and take precedence over others desiring to be heard. A member desiring to interrupt a speaker shall address the Chair and secure the consent of the speaker. Debate is not in order during roll call vote while a call is pending. Debate may be limited at the discretion of the Chair; however, a simple motion to extend the debate is in order.
- 8.5. **Committee Reports.** When Committees are recognized to report, the Chair of the Committee may read the report himself or have it read by the Secretary. When committee reports are submitted, the question of agreeing to the report is considered as pending. Minority reports from committees must be presented and read immediately following majority reports, and both are then open to debate and amendment, unless the previous question is ordered. When more than one minority report is submitted, all are presented before consideration on the majority report begins, and are taken up in the order presented. The question comes first on minority reports and then on majority report or minority report as amended.
- 8.6. **Division.** A division of the question, and a separate vote on each substantive proposition contained in a committee report or any pending question, may be requested by any member, and is in order even after the previous question is demanded.
- 8.7. **Points of Order.** Points of order against a proceeding are too late after debate has begun or other business has intervened. Debate on a question of order is within the discretion of the Chair. Points of Order arising during a roll call are decided peremptorily and are not subject to appeal.
- 8.8. **Previous Question.** The previous question when ordered precludes both debate and amendment. The normal motion is "I move the previous question." However, saying, "I call the question" or "I call for the question" should be taken as moving the previous question. The motion requires a second, is not debatable and cannot be amended. It requires a two-thirds (2/3) majority to pass. If passed the effect is to end debate and move to vote on the question being considered.
Explanation: When a member says, "I move the previous question," such motion is then considered to be the pending question, and the motion which was pending when the previous question was moved is considered to be the previous question.
- 8.9. **Reconsidered.** When a motion is carried or lost, any member of the majority may move reconsideration at the same meeting of the Group. This motion takes precedence over all motions except motion to adjourn.
- 8.10. **Delay or end consideration of a Question.**
- 8.10.1 **Table.** A motion to lay on the table is used to delay consideration of a motion or amendment. It is not debatable and may not be amended. Unless the motion to table specifies a time certain to resume consideration, a motion to remove it from the table must be made to continue such consideration. An

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- amendment laid on the table carries with it the proposition to which the amendment was offered.
- 8.10.2. **Postpone.** A motion to postpone consideration is used when it is evident that more information is needed to enhance the debate of a question. A time certain to resume consideration should be included in such a motion. It is debatable and may be amended. A motion to postpone requires a simple majority to pass. An amendment postponed carries with it the proposition to which the amendment was offered.
- 8.10.3. **Postpone Indefinitely.** A motion to postpone indefinitely is used by a group to indicate that the group does not wish to take a position on the question. The motion is debatable but may not be amended. An amendment postponed indefinitely carries with it the proposition to which the amendment was offered.
- 8.11. **Recess.** A motion to recess is always in order, and not debatable.
- 8.12. **Motion to Adjourn.** A motion to adjourn or a motion to adjourn to meet at a designated time and/or date may be made at any time recognition is secured for that purpose, but is not in order during a roll call. A simple motion to adjourn is not debatable and may not be laid on the table. A motion to adjourn at a certain time is debatable and subject to amendment. A motion to adjourn to a day and/or time certain or to meet at another place is in order, is debatable and amendable. All motions to adjourn are decided by a majority vote.
- 8.13. **Decorum.** Members and guests are expected to be seated and to refrain from loud conversation during a meeting
- 8.14. **Suspension of Rules.** A motion to suspend the Rules does not pertain to the Rules in this Bylaw but to any procedural rules adopted by a Group. The motion interrupts the regular order of business and is in order at any time except during roll call, but recognition to move suspension is within the jurisdiction of the Chair. The motion requires a two-thirds (2/3) majority. The motion to suspend the Rules may not be amended, reconsidered or laid on the table.
- 8.15. **Unanimous Consent.** Any action may be taken and any proceeding had by unanimous consent regardless of the Rules or pending order of business, but recognition of any motion to unanimously consent is within the discretion of the Chair and may not be granted except for routine matters and under exceptional circumstances.
- 8.16. **Who is Entitled to Speak.** A person who is not a member of a Group shall not be permitted to address the Group in any meeting unless such person is given permission to do so by the Chair or by unanimous consent of the members present.
- 8.17. **Electronic Meetings.** Unless specifically prohibited in governing documents, meetings may be convened or attended using electronic means such as teleconference or video conference, at the discretion of the chair. The meeting's organizer shall inform all members of the means and method of electronically attending the meeting.

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- 8.18. **Absence of Rule.** In the absence of any Rule governing a situation, *Roberts Rules of Order, Newly Revised* shall govern the procedure of any Group to which this Bylaw pertains.

9. AMENDMENT OF BYLAWS

- 9.1 Any Bylaw may be amended by a majority of votes cast by delegates assembled in State Convention.
- 9.2 Any Section contained in Bylaw 5, State Central Committee, may be amended by a majority of the votes cast by members of the State Central Committee at any meeting of the State Central Committee provided ten (10) days written notice of the proposed rule change has been given to members of the State Central Committee.
- 9.3 Unless specified otherwise in a section, general rules of procedure and business order contained in Bylaws 1.1.4, 1.1.11, 1.4 and 1.8 shall apply to all sections of this document.