

# PROPOSED AMENDMENTS TO THE ODP CONSTITUTION & BY-LAWS 2017

## CONSTITUTIONAL AMENDMENTS

### 1. Constitution: Article VI: Section 2A – Congressional District Committees

**Current language:** Congressional District Central Committees – There shall be a Congressional District Central Committee for each congressional district, which shall consist of the chair, vice chair, and secretary of the Congressional District Convention.

**Proposed language:** After the phrase Congressional District Convention add the sentence: the two (2) affirmative action members elected at the Congressional District Convention have a vote on the District Central Committee.

Rationale: *To make Congressional District Central Committee more inclusive.*

### 2. Constitution: Article VI: Section 4 – State Executive Committee

New Language:

**Proposed language:** The Democratic Party State Executive Committee shall be comprised of the State Party Chair, Vice-Chair, Treasurer, Secretary, and one representative of the Affirmative Action Committee. The State Party Chair shall chair the Executive Committee. The Executive Director of the State Party shall serve as staff to the Committee.

The Executive Committee shall meet as necessary and appropriate at the call of the Chairman of the Committee or the Executive Director, all shall maintain minutes of all meetings, which will be regularly approved by the Executive Committee and distributed promptly to the State Central Committee. A majority of the Executive Committee members, present and voting, shall constitute a quorum.

The primary purpose of the Committee is to have a group authorized and able to act for the State Party Central Committee between regular meetings and in situations where an assembly of a quorum of the State Party Central Committee would be impracticable or impossible.

The committee also serves as an advisor to the Executive Director, providing consultation, support and guidance on an informal basis as requested from time to time.

The Executive Committee is authorized to exercise the full power of the State Party Central Committee to act between meetings of the Central Committee upon matters which, in the judgement of the Committee, are of such a nature as to require action prior to the next regular meeting of the State Party Central Committee but do not require the calling of a special meeting of the State Party Central Committee.

Any action taken by the Executive Committee shall be reported promptly to the State Party Central Committee and ratified by the State Central Committee at the next meeting of the State Central Committee following such action.

The Executive Committee shall not have the power to:

1. Amend the Bylaws or Constitution;
2. Appoint or remove members of the State Party Central Committee or the Executive Director;
3. Approve the sale of State Party assets;
4. adopt the budget; or
5. Take any action that is contrary to, or a substantial departure from, the direction of the State Party Central Committee or which represents major change in the affairs, business, or policy of the State Democratic Party

Rationale: *Enhance the management of the Oklahoma Democratic Party between Central Committee meetings.*

**3. Constitution: Article V: Section 2 – Minority Groups**

**Current language:** ...Specific attention shall be given to the participation of Blacks, Hispanics, Indians/Native Americans, Asian/Pacific Americans, GLBT (Gays, Lesbians, Bisexual & Transgendered) and Disabled Americans, and Minority Religious Groups.

**Proposed changes:** Change language to read...of Blacks, African Americans, Hispanics, Indians/Native Americans, Asian/Pacific Islanders, LGBTQ, (Lesbians, Gays, Bisexuals, Transgenders and Queers), Disabled Americans, and Middle Eastern Americans.

**4. Constitution: Article VII: Section 3/5/7 – Duties County Central Committee/District Central Committee/State Central Committee: Submitting Bids for State Convention**

**Current language:** Section 3 County Central Committees, the County Central Committee shall have the authority to A. – G.:

**Proposed language:** (H) Submit a bid to host a meeting of the State Convention. The bid may be submitted jointly with other county central committees from Oklahoma and/or other Congressional District Central Committees from Oklahoma.

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**Current language:** Section 5 Congressional District Central Committees, the Congressional District Central Committee shall have the authority to A. – G.:

**Proposed language:** (H) Submit a bid to host a meeting of State Convention. The bid may be submitted jointly with other County Central Committees from Oklahoma and/or other Congressional District Central Committees from Oklahoma.

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**Current language:** Section 7 State Central Committee, the State Central Committee shall have the authority to (1-19):

**Proposed language:** (20) Determine the location of a meeting of the State Convention, from among bids submitted by the State Chair, County Central Committee(s), and/or Congressional District Central Committee(s) from Oklahoma.

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Rationale: *Give the State Central Committee the power to choose the location of an ODP State Convention using an open bidding process considering location and economics.*

**5. Constitution: Article VII: Section 7 – State Central Committee**

**Current language:** The State Central Committee must (1) plan and approve (2) conduct annual audits of the financial affairs of the state party. At the conclusion of state officer's terms or at least every two years in odd numbered years, such audit should be conducted by a certified public accountant and shall be done in accordance with generally accepted auditing standards.

**Proposed language:** Replace Section 2 with - conduct an annual review by a qualified, detached, and impartial committee of the financial acts and activities of the Party and all controls. The review shall include a review of the bank statements, monthly reconciliations, tests of a representative sample of income and expenses, federal and state compliance and taxes. Said report shall be made available to any Democrat upon reasonable request.

Rationale: *To allow Central Committee to contract with qualified auditor within the Democratic Party's financial means.*

**6. Constitution: Article VII: Section 6 – Committee Powers and Duties: Path to Completion to Resolutions Companion to Bylaws Article V, Section 6**

**Current language:** Section 6: State Convention – The State Convention shall (A) – (C):

(D) Have the authority to establish by resolution policies to govern the activities of all organizations of the Oklahoma Democratic Party.

(E) Have the authority to overrule the State Central Committee on any appeal it has decided.

(F) Raise and disburse funds and deposit any such funds in accounts in the name of the Oklahoma Democratic Party.

**Proposed language:** Add new sentence to (D): “Have the authority to delegate passage or completion of resolutions to a sub-unit or special committee as defined in the bylaws Article V, Section 6 and renumber (E) to (F) and (F) to (G).”

**BY-LAWS AMENDMENTS**

**1. Bylaws: Article I: Sections 1, A – Calls and Election Officials**

**Current language:** Section 1: The organizational meetings – Precinct committees and County, Congressional District, and State Conventions shall meet in odd-numbered years and elect officers and such other officials as may be required to serve until the next organizational meeting.

A) The Precinct Committees shall meet on the second Thursday in March at 7pm; however, the county central committee of a county, allocated three (3) or less state delegates as set out in subsection 2, of Article IV of the constitution, may vote to call precinct meetings on the same date specified in Subsection B of this Section 1 for the County Convention at a time prior to the County Convention and shall mail a call for both the Precinct and County meetings on the date required for Precinct calls in Section 2 of this Article 1 of the Bylaws.

**Proposed Change:** After the phrase “of a county” in second line of (A), omit “allocated three (3) or less State delegates as set out in subsection 2 of Article IV of the constitution and add ten (10) or fewer delegates.”

*Rationale: To give our counties more flexibility of having and conducting their meetings.*

**2. Bylaws: Article I: Section 2 – Requirements of Organizational Meeting**

**Current language:** Section 2: Precinct Call - The organizational meeting of a Precinct Committee shall be called by the County Central Committee's mailing to the Precinct officers the official call of the meeting, which shall include the date, time and location of the precinct meeting. Said call shall be mailed, electronically or otherwise at least ten (10) days prior to the meeting date. The County Central Committee shall further publicize notice of the meeting and precinct officers shall notify Democrats and publicize notice of the meeting within the precinct. The County Central Committee should mail the call to precinct committee delegates and to other Democrats interested in Party affairs and should also publish a list of the precinct meetings in a local newspaper.

**Proposed Change:** After “otherwise at least” replace (10) with thirty (30) days. After “publicize notice of the meeting place on the event calendar of the official Democratic Party website at least thirty (30) days prior to the meeting date” after “in a local newspaper” add “and on all official County Central Committee social media outlets.”

*Rationale: A call deadline of 30 days is, from an active chair's position, less of a burden than the current call deadline of 10 days. The result of this amendment would significantly reduce the burden on individuals reviving inactive county organizations by allowing more time to organize the precinct meetings and county conventions.*

**3. Bylaws: Article I: Section 1, D – Calls and Election of Officials: Site Selection**

**Current language:** Section 1: Organizational Meetings

D) The State Convention shall meet on the fourth weekend following the Congressional District Convention meetings or within 7 days of the scheduled State Convention, unless the State Central Committee, by a two-thirds (2/3) majority vote, moves the meeting to a different date.

**Proposed change:** The State Convention shall meet on the fourth weekend following the Congressional District Convention meetings or within 7 days of the scheduled State Convention, unless the State Central Committee, by a two-thirds (2/3) majority vote, moves the meeting to a different date.

1) The State Central Committee shall determine the location of the State Convention from among bids submitted by the State Chair, county central committee(s), and/ or congressional district central committee(s).

2) Any bid to host the State Convention shall identify a site for the convention meetings, a site for possible fund-raising events, and options for delegate lodging. The bid shall name a convention site coordinator or a coordinating committee, provide a budget for convention expenses, and provide a working plan for the State Convention.

3) Any bid to host the State Convention shall be submitted to the State Central Committee in writing no less than thirty (30) days prior to the State Central Committee meeting at which the location of the State Convention will be determined.

4) The State Central Committee shall determine, by a majority vote, the location of the State Convention no later than six (6) months prior to the meeting date set forth in this section of the Bylaws of the Oklahoma Democratic Party.

5) Any County Central Committee(s) and/ or Congressional District Central Committee(s) that is (are) selected to host the State Convention will work in conjunction with the Oklahoma Democratic Party state officials and staff to host the State Convention.

*Rationale: Will allow the Convention to be held in a location other than Oklahoma City. Will allow for cost savings.*

#### 4. **Bylaws: Article I: Section 6 – Congressional District Central Committee Call**

**Current Language:** A meeting of the Congressional District Central Committee may be called by the Congressional District Chair.

**Proposed Change:** after Chair add Congressional District Committee meetings agendas are to be accessible from the home page of the ODP website, 48 hours in advance of said meetings, under a tab titled "Reports". Approved minutes of said meetings are to be accessible in the same manner.

*Rationale: To increase communication among members and other interested parties.*

#### 5. **Bylaws: Article I: Section 7 – State Convention Call**

**Current language:** A meeting of the State Convention shall be called by the State Central Committee's mailing, electronically or otherwise to all delegates to the Convention, the official call which shall include the date, time and location of the meeting, which shall be in Oklahoma City. It shall also state the names of the chairs and all members of the meeting committees and the time, date and location of their meeting. Said call shall be mailed, electronically or otherwise at least ten (10) days prior to the meeting date.

**Proposed change:** A meeting of the State Convention shall be called by the State Central Committee's mailing, electronically or otherwise to all delegates to the Convention, the official call which shall include the date, time, and location of the meeting. It shall also state the names of the chairs and all members of the meeting committees and the time, date, and location of their meeting. Said call shall be mailed, electronically or otherwise at least ten (10) days prior to the meeting date.

*Rationale: This change makes it possible to hold an ODP State Convention outside of Oklahoma City provided Constitution Article VII, Section 3/5/7 is accepted by the body.*

**6. Bylaws: Article I: Section 8 (J) New – State Central Committee Call**

**Current language:** None

**Proposed change:** The State Party Chair and Vice Chair, in absence of the Chair, after attending the summer and winter meetings of the DNC, shall create a written report within 3 weeks after each meeting. The report shall cover each of the agenda items of the meeting and each Oklahoma delegation attendee's votes during the meeting must be included in the report. The report is to be submitted to the Central Committee, and said report is to be accessible from the ODP website home page, under a tab titled "Reports".

*Rationale: To provide information from the Democratic National Committee meetings to the grassroots.*

**7. Bylaws: Article I: Section 8 (K) – State Central Committee Call**

**Current language:** None

**Proposed change:** To promote transparency to the grassroots of the party, State Central Committee meeting agenda is to be accessible from the home page of the ODP website 48 hours in advance of said meetings, under a tab titled "Reports". Approved minutes of said meetings are to be accessible from the home page in the same manner. A hard copy will be made available upon request.

*Rationale: To provide information from the State Central Committee Meetings to the grassroots.*

**8. Bylaws: Article I: Section 10 – New Officers Assuming Position**

**Current language:** None

**Proposed Change:** Newly elected officers will fully assume their positions at a transitional meeting with the outgoing officers to be held between the election date and ten working days. Outgoing officers will continue administrative authority and duties until the transitional meeting is held or on the eleventh (11<sup>th</sup>) day following the election, whichever occurs first. "Administrative authority and duties" shall mean record keeping, accounting, minutes, maintenance of documents, writing checks with consent of the newly elected officers and, assisting with the conduct of the meeting and any other duties. Newly elected officers shall have all other duties and powers as defined by the Constitution and Bylaws during the transition period.

*Rationale: New officers are often not able to perform administrative tasks immediately upon election. This will provide a transition period for transfer of records and financial information.*

**9. By-laws: Article II: Section 2 (F) – Distribution of Information**

**Current Language:** NEW

**Proposed language:** The State Central Committee shall establish written policies and procedures to ensure that confidential and other information concerning volunteers and party officials (Precinct Officers, state delegates, state officers, District Officers that is disseminated by any party official to a third party is not disclosed without consent. Any person serving in a party position or volunteer capacity may designate that their residential address is not disclosed, however, that person shall submit an alternate mailing address. Any lists or other information distributed to a third party by a party office shall be limited in purpose and shall not be freely distributed, copied and/or shared by others without the express consent of the office that it is received from. The policies and procedures shall be delivered to every district chair and county chair during the months of January and July of each year. The delivery may be by United States Postal Service or electronic.

*Rational: We recognize our volunteers may not want their information distributed without controls and accountability.*

**10 By-laws: Article IV: Section 1 – Recall – Modify Restrictions Against Supporting Non-Democrats**

**Current language:** Grounds – Individuals elected to any Party office shall be subject to recall if they aid, endorse, or in any way help any other political party, independent candidate or candidate nominated by any other political party in a partisan election.

**Proposed changes:** after partisan election add, “unless there is no Democrat on the general ballot and said support is clearly and expressly personal in nature and not as an officer of, or on behalf of, the Oklahoma Democratic Party.

*Rationale: This allows Democratic Party officials to support a non-Democratic candidate if no Democratic candidate is on the ballot without being recalled so long as their support is expressly personal in nature.*

#### **11. By-laws: Article IV: Section 2 – Duties of Precinct Chairs**

**Current language:** The Precinct Chair shall: See Sections A) 7 and 13

Section 7: Know of voter registrars in or near the precinct, (Registrars are no longer needed with the Motor-Voter Bill) Section 13: Maintain a current list or registered Democrats in the precinct with telephone numbers.

**Proposed change:** The Precinct Chair: shall see Sections A) 7;13.

Section 7: Know of voter registrars in or near the precinct, (Registrars are no longer needed with the Motor-Voter Bill.) Always have voter registration forms available and be familiar with absentee voting request forms and procedures. Maintain a list of notary public resources available. Within the precinct if possible, for notarizing absentee ballots. Maintain a calendar for elections for the precinct. Section 13: Maintain the Voter File with up to date telephone numbers and e-mail address of voters as available. Maintain a current list of registered Democrats in the precinct with telephone number.

*Rationale: To update the language to comply with technology and voter registration laws.*

#### **12. By-laws: Article V: Section 11a – Voting Proposed Amendment Proxy Rules**

**Current language:** Section 11: Proxy Rules A: A delegate to a convention or committee who is unable to attend a meeting may give a written proxy to an eligible alternate delegate or to a registered Democrat of the same gender from the same political unit as that from which the delegate was elected.

Proposed change: Add at the end of paragraph except for the office of secretary which may tender his/her proxy to either gender. The secretary exception shall not apply to state level.

*Rationale: Gender balance does not apply to secretary position at County and Congressional District levels.*

#### **13. By-laws: Article V: Section 11b – Proxy Rules**

**Current language:** A written proxy must clearly state the name of the person giving the proxy, the office the giver holds, the name of the person to whom the proxy is given, and the date of the meeting for which the proxy is given. It must be signed and the signature must be notarized by a Notary Public or another officer authorized to administer oaths under the laws of Oklahoma.

**Proposed change:** A written proxy must clearly state the name of the person giving the proxy, the office the giver holds, the name of the person to whom the proxy is given, and the date of the meeting for which the proxy is given. It must be signed and witnessed by two non-related adults.

*Rationale: To allow for more participation for delegates. Also allows for emergencies when no notary is available.*

#### **14. By-laws: Article VI: Section 3A (11) County Officers, Section 4A (9) Congressional District Officers, Section 5A (6) State Officers – Raising and Distributing Funds**

**Current language:** Section 3: The County Chair shall be responsible for raising and disbursing funds and for depositing them into an account in the name of the county party.

**Proposed change:** Be responsible for raising and disbursing funds and for depositing them in an account in the name of the County Party. Disbursement of funds will by means of: 1. Check drawn on an account in the name of the County Party, 2. Automatic Bank Draft, or 3. Bank Debit Card. Each item must be approved by the County Chair and one additional County Officer to confirm. The authorization and confirmation must be in writing.

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**Current language:** Section 4: The Congressional District Chair shall be responsible for raising and disbursing funds and for depositing them in an account in the name of the Congressional District Party.

Proposed change: 9) Be responsible for raising and disbursing funds and for depositing them in an account in the name of the Congressional District Party. Disbursement of funds will by means of: 1. Check drawn on an account in the name of the Congressional District Party, 2. Automatic Bank Draft, or 3. Bank Debit Card. Each item will be signed by the Congressional District Chair and one additional congressional District Officer to confirm. The authorization and confirmation must be in writing.

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**Current language:** Section 5: State Officers: The State Chair shall disburse funds of the Party, reporting such disbursements to the State Central Committee.

**Proposed change:** Disburse funds of the Party, reporting such disbursements to the State Central Committee. Disbursement of funds will by means of: 1. Check drawn on an account in the name of the State Democratic Party, 2. Automatic Bank Draft, or 3. Bank Debit Card. Each item will be signed by the State Chair and one additional State Officer to confirm. The authorization and confirmation must be in writing.

*Rationale: Because of geographical distances authorized signers cannot be at the same location at the same time thereby removing the necessity of two people signing a check allowing for payment of recurring expenses by authorizing in advance.*

**15. By-laws: Article VI: Section 6: Committee powers and duties**

**Current language:** Except for a Precinct Committee, a quorum for any convention or committee established by the Constitution shall be forty percent (40%) of its delegates. Ex-officio members shall not be counted in determining if a quorum is present.

**Proposed language:** After present add a sentence that reads . . . However, the State Convention Committee may upon proper motion, second and passage may delegate passage or completion of resolutions to a special committee. Each Congressional District may elect from their district up to four (4) delegates who are not members of the State Central Committee. The gender balanced list should be submitted to the state secretary within twenty (20) days of the convention. The meeting for selection may occur immediately following the adjournment of the State Convention or at a later date. The State Chair will be chair of this committee until the committee selects its own chair.

*Rationale: Allows the grassroots to finalize the Resolutions to be submitted to the DNC.*