

# Massachusetts Democratic Party Charter

*Updated: November 14, 2017*

## Preamble

We, the Democrats of the Commonwealth of Massachusetts, in common purpose with the National Democratic Charter, are united in seeking for our State, our Nation and all peoples individual and political freedoms and social and economic justice. We affirm that we can best attain these goals through a strong, cohesive party-honest, open and accessible to all, and steadfast in the idea that our people have the ability to govern themselves. Following the National Democratic Charter, we acknowledge that a political party which wishes to lead must listen to those it would lead, a party which asks for the people's trust must prove that it trusts the people and a party which hopes to call forth the best that the Commonwealth can achieve must embody the best of the Commonwealth's heritage and traditions. The Democratic Party demands responsibility and accountability from candidates and officials using its name. It shall be a party within which all social, economic, ethnic and geographic groups can gather to clarify issues, affect public policies and implement systems of equal opportunity regardless of race, national origin, creed, sex, age, disability, religion, sexual orientation or gender identity or expression. It shall be receptive to new solutions to social and political problems. It shall promote the election and appointment of Democrats to public office. In office, the Democratic Party shall act as a coordinator and mediator among the various governing agencies of towns, cities, counties and the Commonwealth; out of office, it shall act as a responsible opposition, a channel for legitimate dissent. To these ends, we pledge ourselves to leadership in a democratic society through this Charter of the Democratic Party of the Commonwealth of Massachusetts.

# Article One

## Definitions

The following definitions apply to terms used throughout the Charter:

**Convention** is a state-wide gathering of Democrats called by the State Committee.

**Conference** is a regional gathering of Democrats called by the State Committee.

**Caucus** is a gathering of enrolled Democrats called by a town, ward, city or the State Committee.

**Meeting** is a gathering of full and associate members of a Party committee, or sub-unit thereof, at any level.

**Agenda** is defined as an outline of topics to be considered and actions to be taken by the Party, such as meetings, programs, rules, etc.

**Accessible** is defined as referring to those conditions which assure openness and provide an equal opportunity for participation, including locations, convenience and public identification among others.

**Minorities** - Blacks, Hispanics, Asian-Americans, Native Americans and Cape Verdeans as defined by the Equal Employment Opportunity Commission.

**Disability/Handicapped**, with respect to an individual, means a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.

**Youth** individuals 18 through 35 years of age.

**LGBT+** is defined as individuals that identify as a part of the Lesbian, Gay, Bisexual, and Transgender Community.

**Low and Moderate Income** as defined by the Democratic National Committee.

**Senior** those persons 65 years of age or Citizens over.

**Wards** shall include the term municipal districts.

# Article Two

## Town, Ward and City Committees

### SECTION I.

#### Functions of Local Committees

Town, ward and city committees are the foundation of Party organization and have the closest contact with the people. The local committees shall conduct, according to duly established and recorded local by-laws, such activities as are suitable for a political organization; among which (without limitation) are: the endorsement of enrolled Democratic candidates in partisan and nonpartisan primaries, preliminaries and elections; financial support of the State Committee and Democratic nominees; the adoption of resolutions and platforms; the raising and disbursing of funds for political purposes; voter registration campaigns; and the calling of caucuses for the purpose of endorsing candidates, adopting resolutions, or conducting other Party business as provided for in the Call.

All Local committees are intended to be working committees, dedicated to the cause of winning elections. All members should pledge a minimum of 40 hours in each 2 year election cycle to organizing or soliciting financial or grassroots voter support for Democratic candidates, at least half of which shall be in the general election time period. Notwithstanding any other provision of this charter, failure to work actively in any election cycle could result in removal from all Democratic Party offices, if voted by said committee after a hearing. State Committee members shall be responsible for ensuring that all members within their State Senate District are given opportunities to comply with this pledge. Town and Ward committee chairs shall be responsible for ensuring compliance with the work pledge provision.

### SECTION II.

#### Number of Members; Election of Ward, Town and City Committees

Town and ward committees shall have no fewer than 3 nor more than 35 members, who shall be elected at presidential primaries with filing for the office by individual candidates in conformity with State Election Laws. Ward and Town Committees may increase the number of members of the Committee up to the maximum of 35 at any time by a vote of a majority of the members of the committee, effective upon notification of the Secretary of the Commonwealth and the Democratic State Committee within 30 days of said vote. City committees shall be composed of all ward committee members within a municipality. Town and ward committees may elect associate members who shall not be limited to a maximum figure. With respect to

current numbers of the town committee who served as such for 20 or more years or current members of any ward committee who have served within such city for 20 or more years, said member's elected position on the town or ward committee shall be vacated after the member has served over twenty years and he or she becomes a voting member of the town/ward committee by action of this section. Vacancies in local committees shall be filled by vote of that committee. Associate members, if any, shall be the candidate(s) for filling any committee vacancies. Town and ward committees are authorized to constitute their elected officers plus such members as the committee designates as an executive board. All members of the town, ward and city committees shall be enrolled Democrats. State Committee members shall be ex-officio members of ward, town and city committees.

### **SECTION III.**

#### **Officers of Local Committees**

Town, ward and city committees shall elect: a chairperson or, if deemed advisable, two co-chairpersons and a vice-chairperson (not both or all of the same sex), a treasurer, secretary, Affirmative Action and Outreach Advisor and other appropriate officers from among their members. Officers shall be elected every two years; except that a committee in its by-laws may provide for a four year term, running with presidential terms; at the local committee's organizational meeting, which shall be held no later than April 15 th in non presidential years and as defined in state law in presidential election years. The local chairperson shall be the principal executive officer of the town, ward or city committee, with primary responsibility for enforcement of the provisions of this Charter and by-laws at the local level and for communications between local committees and the State Committee. The chairperson shall preside at all meetings of the local committee and at caucuses called by it. Other officers shall have such duties and responsibilities as assigned by the local by-laws, chairperson or committee.

### **SECTION IV.**

#### **Meetings of Local Committees**

Town, ward and city committees shall meet at least four times each year, at least once each quarter, at the call of the chairperson. Special meetings may be called by the secretary on receipt of signed petition from no fewer than 20% of the membership of the committee.

### **SECTION V.**

#### **Removal of Local Members**

Members and officers pledge themselves by accepting office to perform diligently and honorably their duties or resign. Members of town and ward

committees may be removed by procedures guaranteeing adequate notice and due process and by a 2/3 vote of those present and voting, a quorum being present, for:

- a. failure to attend at least half of the regularly scheduled committee meetings during any calendar year.
- b. publicly endorsed or supported any candidate whose announced intention is to oppose the nominee of the Democratic Party which nominee publicly supports the majority of the platform of the Democratic Party as adopted at the most recent state and national Democratic conventions. A member for whom a long and deeply held belief would be violated by support of the nominee shall not be removed under this section.
- c. unauthorized use of the Party name or resources.
- d. conviction after appeals are exhausted of a criminal offense other than a misdemeanor. A member must be given an opportunity to resign before notice of the hearing on the question of removal is given to the membership of the committee. If a ward, town or city committee refuses to act upon or remove a member duly charged, the charge may be appealed to the Judicial Council. A member removed under this section shall have 30 days to appeal to the Judicial Council, and the vacancy may not be filled in such case until the final decision of the Judicial Council is made.

# Article Three

## State Committee

### SECTION I.

#### Role of the State Committee

The Democratic State Committee shall have general responsibility for the affairs of the Democratic Party between State Conventions in the furtherance of this Charter. This responsibility shall include:

- a. conducting the Party's state campaigns
- b. filling vacancies in the nominations for state-wide and congressional offices
- c. formulating and disseminating statements of Party policy
- d. raising and disbursing monies needed for the successful operation of the State Committee.

The State Committee shall publicly support the Party's nominees, except no party resources shall be used to support a Democratic nominee, who as a Democrat publicly endorsed or supported a Republican or other party candidate in any one of the last two most recent biennial elections. The State Committee shall take all other actions necessary or appropriate to carry out the provisions of this Charter, including the adoption of by-laws to implement the Charter; maintenance of a file of by-laws of town, ward and city committees that is available for public inspection; and the maintenance of regular communication with and the provision for training, information and other services to town, ward and city committees when finances permit.

The State Committee is intended to be working committees, dedicated to the cause of winning elections. All members should pledge a minimum of 40 hours in each 2 year election cycle to organizing or soliciting financial or grassroots voter support for Democratic candidates, at least half of which shall be in the general election time period. Notwithstanding any other provision of this charter, failure to work actively in any election cycle could result in removal from all Democratic Party offices, if voted by said committee after a hearing. State Committee members shall be responsible for ensuring that all State, Ward and Town Committee members within their State Senate District are given opportunities to comply with this pledge.

### SECTION II.

#### Number of State Committee Members

Members of the Democratic State Committee shall be enrolled Democrats consisting of:

- a. the two men and the two women elected from each state senatorial district, who each shall serve for a four year term

- b. members of the Democratic National Committee from Massachusetts
- c. the State Committee in consultation with the Affirmative Action and Outreach Committee shall elect members for the purposes of affirmative action; the number of which will not exceed 10% of the total State Committee; in determining the affirmative action candidates for election, the Democratic State Committee shall consider the underrepresented target groups and shall endeavor to maintain proper geographic distribution of the State Committee as far as possible
- d. additional members elected by the State Committee in accordance with its by-laws, and
- e. four men and four women who are youth, having not reached the age of 36, and two men and two women who are members of the College Democrats of Massachusetts (when possible); these members shall be elected by the Democratic State Committee. Student members shall serve two-year terms. Additionally, One man and one woman who are youth having not reached the age of 36 selected by the Massachusetts Young Democrats [Massachusetts Democratic Future] and one man and one woman who are youth not having reached the age of 36 selected by the College Democrats of Massachusetts. These members so appointed shall have made every practical effort to become members or associate members of their local Ward or Town Committee. Student members shall serve for a term of two years.
- f. two veterans, one male and one female.
- g. one man and who are gay and lesbian Democrats.
- h. one male and one female who are bisexual Democrats.
- i. one male-identified and one female-identified who are transgender Democrats.

The chairperson of the Party shall publicize the availability of these positions (Sections C, D, F, G, H, I). Only those candidates whose letters of intent have been received by the Chair of the State Party or his designee no later than 14 days prior to the scheduled reorganization meeting shall be eligible for any one of these positions. Candidates shall submit letters of intent for only one position. The determination as to whether, when and how long a candidate may speak will be made by the Chair and published prior to the meeting to effect an orderly election. The appropriate number of members shall then be chosen by a plurality of the members present and voting. In cases of a tie vote, there shall be a runoff between those candidates that tied on the preceding ballot. Members chosen under this paragraph, except student seats, shall serve for terms of four years and only during the term of the State Committee which chose them.

### **SECTION III.**

### **Election of State Committee Members**

There shall be one hundred and sixty (160) members of the Democratic State Committee apportioned to the state senatorial districts. Eighty (80) members of the State Committee, one man and one woman from each state senatorial district, shall be elected at the Presidential primary election. Their terms shall begin on the thirtieth (30<sup>th</sup>) day following their election and end four years later on the (30<sup>th</sup>) day following the presidential primary to be held that year. Eighty (80) members shall be elected by the Democratic ward and town committees within the state senatorial district, in a manner prescribed by the Democratic State Committee. The terms of members so selected shall begin the day following their election and end four years later on the day of the conference to select their successors. Within the time period specified by state law for initial organization of the Committee, the incumbent Democratic State Committee chairperson, or someone designated by the Chairperson, shall certify the members elected by state senatorial district conference. Thereafter, the popularly elected, conference-elected, twenty-year and ex officio members of the State Committee shall organize the Committee in accordance with then-applicable state law; however, at its first organized meeting following a Presidential Primary, the Committee shall elect additional members as provided by the Committee's by-laws. All members of the State Committee shall have full and equal voting privileges. In non-presidential years, the incumbent Democratic State Committee Chairperson or someone designated by the Chairperson shall certify the members elected by state senatorial district conferences. Following the certification of these members, the next order of business shall be the election of such additional members as provided by the state committee's by-laws. Members shall serve only so long as they remain enrolled as voters in the Massachusetts Democratic Party and in the case of members who serve by virtue of holding public or party office, only so long as they hold such office. Members appointed for affirmative action purposes shall serve until their successors are selected at the initial organizational meeting of the full committee. Any vacancy in the elected membership shall be filled by state senatorial district conferences as described above. Any vacancy occurring within six (6) months before the next regularly scheduled election shall not be filled.

### **SECTION IV.**

#### **Sub-committees of the State Committee**

The Chair of the State Committee shall appoint such sub-committees as it determines necessary or appropriate to enable the State Committee to fulfill the duties and obligations with which it is charged by the Charter. There shall be an Affirmative Action and Outreach Sub-Committee responsible for

encouraging and assisting target group individuals at all levels and for overseeing and assisting Party committees at all levels in meeting affirmative action guidelines.

## **SECTION V.**

### **Meetings of the State Committee**

The State Committee shall meet at least four times each year, at least once each quarter, at the call of the State Chairperson. Special meetings shall be called by the Secretary on receipt of signed petition from no fewer than 25 members of the State Committee. Meetings of the full State Committee shall be held regularly on a regional basis. Members of the State Committee elected at the state senatorial district level shall meet at least twice each year with members of town, ward and city committees in their districts.

## **SECTION VI.**

### **Report to the Convention**

The Chair of the State Committee shall provide to the delegates at each State Convention, a report on the activities and finances of the State Party since the preceding State Convention.

## **SECTION VII.**

### **Removal of State Committee Members**

Members and officers pledge themselves by accepting office to perform diligently and honorably their duties or resign. Members of the State Committee may be removed by procedures guaranteeing adequate notice and due process and by a two-thirds vote of those present and voting at a State Committee meeting for:

- a. failure to attend at least half of the regularly scheduled committee meetings during any calendar year.
- b. publicly endorsed or supported any candidate whose announced intention is to oppose the nominee of the Democratic Party which nominee publicly supports the majority of the platform of the Democratic Party as adopted at the most recent state and national Democratic conventions. A member for whom a long and deeply held belief would be violated by support of the nominee shall not be removed under this section.
- c. unauthorized use of the Party name or resources
- d. conviction after appeals are exhausted of a criminal offense other than a misdemeanor.

A member must be given an opportunity to resign before notice of the hearing on the question of removal is given to the membership of the committee. If the State Committee refuses to act upon or remove a member duly charged, the charge may be appealed to the Judicial Council. A member removed under this section shall have 30 days to appeal to the Judicial Council, and the

vacancy may not be filled in such case until the final decision of the Judicial Council is made.

# Article Four

## State Committee Officers

### SECTION I.

#### Officers of the State Committee

The State Committee shall elect from among its members a chairperson, a vice-chairpersons of the opposite sex, treasurer, secretary and other appropriate officers. All officers must be members of the State Committee, except that before choosing a treasurer or deputy treasurers, a majority of the members of the State Committee present and voting may suspend this requirement as to the treasurer or deputy treasurers only.

### SECTION II.

#### Chairperson

The chairperson shall be the chief executive officer of the State Committee, presiding at its meetings, speaking for it and directing its organization and activities. The chairperson shall, with the approval of the State Committee, appoint an Executive Director for the State Party and such additional staff as deemed appropriate. The chairperson shall name persons to sub-committees provided for in this Charter or the by-laws of the State Committee, and may name other special sub-committees with the approval of the State Committee. The chairperson shall be an ex-officio, voting member of all sub-committees. The chairperson may authorize the use of the name "Democrat" or "Democratic" by any regional, local or special committees or groups with the approval of the State Committee.

### SECTION III.

#### Vice-Chairperson

The vice-chairperson shall assume the powers and duties of the chairperson in the temporary absence or incapacity of the chairperson, and shall have such other responsibilities as are conferred by the State Committee or the chairperson.

### SECTION IV.

#### Treasurer

The treasurer shall be bonded and be responsible for the custody of all monies belonging to the State Committee; shall report annually to the State Committee on receipts, expenditures and the financial status of the Party; and shall comply with financial and reporting requirements of state and federal election laws.

## **SECTION V.**

### **Secretary**

The secretary shall keep minutes and other records of State Committee meetings and actions, and shall have such other responsibilities as are conferred by the State Committee or the chairperson.

## **SECTION VI.**

### **Removal of Officers**

Officers of the State Committee may be removed with adequate notice and due process for failing to perform the duties of the office by a two-thirds vote of the State Committee. Vacancies in any office, for whatever reason, shall be filled by vote of the State Committee at a meeting not less than one (1) month following the formal announcement of the vacancy at a State Committee meeting.

# Article Five

## State Judicial Council

### SECTION I.

#### **Number and Term of Membership**

There shall be a State Judicial Council composed of five members elected by the State Committee for five-year terms, one of whom shall be elected each year. Members shall be enrolled Democrats, but shall not be members of the Democratic State Committee or any of its subcommittees. Affirmative action procedures shall be followed in electing members of the Judicial Council.

### SECTION II.

#### **Chairperson of the Council**

The State Judicial Council shall elect each year at its organizational meeting following the annual election of its members by the State Committee one of its members as chairperson. The Council chairperson shall call and preside at all meetings of the Council and shall have general administrative responsibilities for the Council.

### SECTION III.

The Judicial Council shall adopt procedural rules which shall be reviewed by legal counsel. The Judicial Council shall meet at least once each year. Any member may call a meeting if the chair fails to do so.

### SECTION IV.

#### **Responsibilities of the Judicial Council**

The State Judicial Council shall be responsible for compliance of State and local committees with this Charter and by-laws for the adjudication of disputes arising therefrom. The Judicial Council may order any body or officer of the Party to take whatever action necessary to comply with the Charter or by-laws, including affirmative action goals. It shall also have general jurisdiction on appeal over disputes arising between local committees or between Party committees at different levels, in which case its judgment shall be final and binding on the parties.

### SECTION V.

#### **Removal of Council Members**

The chairperson of the State Judicial Council may be removed at any time for any reason by majority vote of the Council, but shall in such case continue as a member of the Council. Members of the State Judicial Council may be removed at any time for any reason by two-thirds vote of the members of the

State Committee.

# Article Six

## State Convention

### SECTION I.

#### **Empowerment of the Convention**

The State Convention shall be the highest authority of the Massachusetts Democratic Party, subject to provisions of this Charter. It shall be empowered to adopt Party Platforms, endorse candidates for state-wide offices, and act upon such other matters of Party business as provided in the Call to the Convention. The Rules of the Convention, providing for all votes by simple majority except for a two-thirds majority required to suspend the rules, shall be recommended to the State Committee by the Rules Committee thereof and shall be adopted by a majority vote of the State Committee. The rules so adopted shall be distributed to the delegates not less than two weeks before the convention and may be amended from the floor of the convention by a two-thirds vote of the delegates.

### SECTION II.

#### **Issues Convention**

There shall be a State Issues Convention in odd numbered years for the purpose of adopting a Party Agenda and/or Platform by a majority vote of Convention delegates present and voting based upon the recommendation, subject to amendments, of the Party Agenda or Platform Committee. Resolutions may be developed through a process beginning with caucuses of local Democrats.

### SECTION III.

#### **Endorsing Convention**

There shall be a State Convention in even numbered years for the purpose of endorsing candidates for state-wide offices in those years in which such office is to be filled. Endorsements for state-wide office of enrolled Democrats nominated at the Convention shall be by majority vote of the delegates present and voting, with the provision that any nominee who receives at least 15 percent of the Convention vote on any ballot for a particular office, in accordance with the Rules of that convention, may challenge the Convention endorsement in a State primary election.

### SECTION IV.

#### **Call of the Convention**

The State Committee shall issue the Call of a State Convention at least four months prior to the date of the convention. In even numbered years, the State

Convention shall be not later than the Saturday after the date set by the Commonwealth for the filing of nomination papers with the Secretary of State's office, further it shall be the responsibility of the State Committee by vote to schedule the date of the convention in all years.

1. provide for no fewer than 2,500 delegates; and to ensure adequate representation at the Democratic State Convention, the Democratic State Committee shall survey the delegates elected at the caucuses to determine whether the minority, disabled, and LGBT+ representation reflects the participation of minorities, disabled, and LGBT+ in the Party as defined in Article I of the Charter of the Democratic Party of the Commonwealth of Massachusetts. If it does not so reflect the minority population of the Commonwealth, the Democratic State Committee shall elect, based upon the recommendation of the Caucus of Minority Democrats at least thirty days prior to said convention, a number of at-large minority delegates. If it does not so reflect the disabled population of the Commonwealth, the Democratic State Committee shall elect, based upon the recommendation of the Disability Outreach Subcommittee at least thirty days prior to said convention, a number of at-large disabled delegates. If it does not so reflect the LGBT+ population of the Commonwealth, the Democratic State Committee shall elect, based upon the recommendation of the LGBT Outreach Subcommittee at least thirty days prior to said convention, a number of at-large LGBT+ delegates. Those seats that are apportioned to cities and towns under part 4 of this section but are left vacant due to the failure of a city or town to hold a caucus by the deadline set forth in the Rules of the Convention shall be made available to "young" registered Democrats as defined by Article One of this Charter. The Democratic State Committee shall elect, based upon the recommendation of the Youth Services Sub-Committee at least 30 days prior to the convention, a number of "young" delegates on an at large basis equal to the number of delegate seats left vacant due to the failure of a town or ward to hold a caucus. These seats shall be equally divided between men and women, and preference shall be given to "young" Democrats residing in towns or wards which failed to hold a caucus

2. Assure all eligible enrolled and pre-enrolled Democrats, full, timely, and equal opportunity to participate through caucuses in towns and cities and include publicity and affirmative action guidelines toward that end

3. Restrict participation to enrolled and pre-enrolled Democrats in accordance with the Rules of that Convention

4. allocate one delegate to each city and town and the remainder on the basis

of a formula giving equal weight to most recent Democratic Party registration as recorded by the Secretary of the Commonwealth and to the average vote for Democratic candidates in the last general elections for the offices of Governor and President;

a. the members of the Democratic State Committee and the State Judicial Council shall serve as ex-officio delegates to the Convention with full voting privileges

b. the Chairperson of each city, ward and town committee (as duly recorded with the offices of the Secretary of the Commonwealth and the Democratic State Committee) shall serve as an ex-officio Delegate to the Convention with full voting privileges. If he/she cannot serve or is a delegate in another capacity, the next highest ranking officer (vice chairperson, secretary and then treasurer) shall. If the next highest ranking officer cannot, a meeting of the full committee shall be called to elect one (1) to serve in this capacity, provided the Chair held a caucus for the most recent convention.

c. the Democratic elected members of the General Court, the Democratic members of the Massachusetts Congressional delegation and the Democratic elected state constitutional officers shall serve as ex-officio delegates to the Convention with full voting privileges.

5. the delegate selection process shall begin within four (4) months prior to the convention.

## **SECTION V.**

### **Adherence to Platform by Democratic Officials**

The most recent Democratic platform and/or agenda is the official position of the Democratic Party. Every Democratic committee member, every Democratic nominee, and every official elected as the Democratic nominee shall adhere to the national, state, and any local platform, in that order of priority, in all official statements and actions. Failure to do so shall not result in any removal or loss of rights within the Party, but may be publicized by resolutions or other appropriate action of any Party convention, conference, committee, or caucus.

# Article Seven

## Affirmative Action and Outreach

### SECTION I.

#### Support of Affirmative Action Programs

The Democratic Party of Massachusetts, to encourage full participation by all segments of the population, shall conduct affirmative action and outreach programs in behalf of target groups: Blacks, Hispanics, Asian-Americans, Native Americans and Cape Verdeans; and outreach programs on behalf of persons with disabilities, lesbians, gay men, bisexuals, transgender, workers, youth, low and moderate income people and senior citizens. Affirmative action procedures shall be followed in constituting all bodies of the Democratic party.

### SECTION II.

#### Goals

The goals of affirmative action and outreach shall be:

1. to institute those at all levels and in all units of the Party which will provide:
  - a. target group members with an understanding of the methods and procedures for participating in all elections and programs of the Democratic Party, and
  - b. an opportunity to participate in all elections and programs of the Democratic Party
2. to elect target group members to all levels and units of the Democratic Party according to parity of enrolled Democrats in a voting area, through a formula compatible with United States Census data
3. this goal shall not be accomplished either directly or indirectly by the state Democratic Party's imposition of mandatory quota at any level of the delegate selection process or in any other Party affairs, as defined in the By-Laws of the Democratic National Committee and the Democratic State Committee.

### SECTION III.

#### Affirmative Action and Outreach Sub-Committee

The majority of the Affirmative Action and Outreach Sub-Committee of the State Committee shall oversee the formulation and implementation of uniform affirmative action plans for each state senatorial district, to include plans for ward and town committees therein, for the election of members to all Party committees and for the selection of delegates to conferences and conventions. All Affirmative Action and Outreach plans shall be submitted for approval to the State Committee, which shall remain responsible for all affirmative action efforts. Challenges to the formulation or implementation of

these plans shall be referred to the Judicial Council.

#### **SECTION IV.**

##### **Implementation of Affirmative Action and Outreach**

With continual outreach and affirmative action as a major priority of the National and Massachusetts Democratic Parties, the goals of affirmative action and outreach shall be achieved by, but not limited to, the following steps:

1. the equal division insofar as possible between men and women at every level of party structure
2. a written affirmative action plan by all levels and units of the Democratic Party, including submittal of population figures relative to the target groups. The Affirmative Action and Outreach Sub-Committee shall help devise, implement and hold accountable individual Affirmative Action and Outreach plans.
3. the establishment of uniform implementation guidelines, data sources and procedures for setting goals
4. the allocation of financial resources by the State Committee to affirmative action and outreach as a priority program
5. the communication of all Party programs and Party elections shall be frequent, public and explicit. All meetings, caucuses, conferences and conventions shall be held in centrally located, accessible and well publicized sites
6. the formulation of all Party rules, regulations and processes written in clear, explicit language
7. the establishment by each ward and town committee of an affirmative action and outreach advisor, who shall serve as an officer of the local committee
8. the State Committee shall hire a full-time staff person to assist the Affirmative Action and Outreach Sub-Committee in the discharge of their duties, if funds are available.

#### **SECTION V.**

##### **Non-Compliance with Affirmative Action and Outreach**

Delegate and member elections at every level will be monitored by the Affirmative Action Committee. The failure to achieve affirmative action goals will result in an automatic compliance review by the Affirmative Action and Outreach Committee. If a compliance review determines that affirmative action plans were not adequately implemented, then the matter shall be submitted to the Judicial Council which may order that a committee not be recognized or a delegation not be seated unless and until a new and adequate election is held. If a compliance review determines that, although a

"good faith" effort was made to formulate and implement affirmative action goals, the effort failed, in that case, the Judicial Council is empowered to recommend that the unit in question be designated a priority area for special affirmative action efforts by the State Committee.

## **SECTION VI.**

### **Challenges**

Challenges to the formulation, implementation or achievement of affirmative action goals may be brought before the Affirmative Action and Outreach Committee by an enrolled Democrat from the area in question with right of appeal to the Judicial Council.

# Article Eight

## General Provisions

### SECTION I.

#### **Ethical Practices**

The State Committee shall adopt and publish a code of ethical conduct of Party officials and a code of fair campaign practices for all candidates of the Democratic Party.

### SECTION II.

#### **Openness**

All meetings of all Party committees, except workshop or drafting committees, at all levels shall be open to the public, unless an executive session is authorized by a two-thirds vote, and no vote shall be taken by secret ballot. However, secret ballot is permitted in local caucuses.

### SECTION III.

#### **Proxy Voting**

Voting by proxy shall not be permitted at a State Convention, a committee or sub-unit thereof at any level of the Party, or the State Judicial Council.

# Article Nine

## Amendments, By-Laws and Rules

### SECTION I.

#### Majority Rule

This Charter may be amended by a vote of a majority of all delegates to any State Convention.

### SECTION II.

#### State Committee

By-laws to implement this Charter shall be adopted by majority vote of the State Committee, with the provision that they be consistent with actions of State Conventions. By-laws may be amended by majority vote of the State Committee provided that written notice is given all Committee members at least 30 days in advance of the vote thereon.

### SECTION III.

#### Local By-Laws

Party committees at the local level and/or political organizations permitted to use the word Democratic, shall adopt by-laws consistent with this Charter and subject to the approval of the Chair of the State Committee. The State Committee shall maintain current copies of all such by-laws.

### SECTION IV

#### Rules of Party

In the absence of other provisions, Roberts' Rules of Order, as most recently revised, shall govern the conduct of all Democratic Party meetings.