

CONSTITUTION & BYLAWS

of the

Fifth Congressional District Democratic-Farmer-Labor Party of Minnesota

As adopted by the Convention on May 7, 2022

Preamble

We, the members of the Democratic-Farmer-Labor (henceforth "DFL") Party in the Fifth Congressional District, State of Minnesota, in convention assembled, in order to organize and perpetuate a representative, effective and responsible DFL Party in the Fifth Congressional District, affiliate with and advance the interests of the national Democratic Party, sustain and advance the principles of liberal democracy, and uphold human and civil rights and constitutional government, do establish this constitution.

The Fifth Congressional District Democratic-Farmer Labor Party Unit acknowledges it is situated on Native People's traditional, ancestral, and contemporary lands, with a complex and layered history, and remains committed to ongoing affirmative efforts to support and advocate for Native Nations and Peoples.

Bylaws to the Constitution of the Fifth Congressional District are intended to further define and explain its operating procedures. The Bylaws are organized in parallel to the Constitution for easier reference to the specific words of the Constitution being further defined. This does not absolutely limit the application of the Bylaw to the specific part of the Constitution noted. Bylaws may be amended or added by the Fifth Congressional District Central Committee or Convention, as necessary, as outlined in this Constitution. It is not intended that changes in the Bylaws should alter principles of the party as set forth in the Constitution.

Article 1

Name, Membership, Eligibility for Office

Section 1. Name

The name of this organizing unit shall be the Fifth Congressional District of the DFL Party (henceforth "Fifth Congressional District").

Section 2. Purpose

The purposes of this organization shall be to search for, endorse, and elect a Democratic congressional representative for the Fifth Congressional District, to encourage and aid in cooperation between organizing units within the Fifth Congressional District, and to

represent the interests of the Fifth Congressional District members to the government of Minnesota and to the DFL Party.

Section 3. Membership

Membership is open to all residents of the Fifth Congressional District who support the principles of the DFL Party and are not active in any other political party.

Section 4. Voting Membership

Voting membership rights for any committee or convention of the Fifth Congressional District are restricted to those eligible for membership of such committees or conventions.

Section 5. Eligibility for Party Office

Persons who meet eligibility requirements per the Constitution & Bylaws, and Official Call of the DFL Party of Minnesota shall be eligible for election to any party office.

Article 2

Subordination

Section 1. Subordination

This constitution and any bylaws adopted pursuant to it are subordinate to the State DFL Constitution and Bylaws, the Official Call, and the National Democratic Convention Charter and committee rules on the selection of delegates to the national convention.

Section 2. Robert's Rules

All matters not governed by this Constitution and its bylaws shall be governed by Robert's Rules of Order, Newly Revised.

Article 3

General Rules, Policy

Section 1. Equity and Affirmative Action

All Fifth Congressional District officials shall take proactive steps to encourage traditionally and presently underrepresented communities to actively participate in party affairs, and to seek election as delegates, officers, and Members of party committees. Party Officers shall take an active role in outreach and leadership development to increase inclusion of traditionally and presently underrepresented communities in Fifth Congressional District leadership. To this end, the

Affirmative Action, Outreach, and Inclusion Statement shall be read when meetings are convened, and immediately before any election.

Section 2. Qualifications for Voting

To vote in conventions and endorsing commissions, a delegate must be a resident of the area encompassed by the convention or endorsing commission at the time of the convention or endorsing commission.

Section 3. Instruction and Voting of Delegates

No delegate shall be required to cast a vote contrary to their expressed preference. No precinct caucus or convention can bind its delegates to vote in a certain way at a later convention. Each delegate shall cast their vote independent of the other Members of the delegation. No prorating or voting by proxy shall be allowed at any meeting or convention of any party organization. Balloting at any convention or endorsing commission, when called for, shall be by delegations, and shall be open and not secret, but a written ballot may be called for by the chair, or moved and then supported by one third of the delegates voting, provided the ballot is signed.

Section 4. Registration Fees

No registration fee shall be required at any caucus, convention, or endorsing commission within the Fifth Congressional District. Voluntary donations to cover the costs of the meeting shall be encouraged.

Section 5. Endorsements

Endorsement of a candidate for public office requires a 60% affirmative vote of those delegates voting on that ballot, excluding blanks and abstentions, at the convention, central committee, or endorsing commission making the endorsement. Every ballot shall be a test of quorum. An endorsement made before the primary is valid after the primary only if the candidate's name appears on the general election ballot. In the event a non-endorsed candidate is the winner of a primary, a post-primary convention, endorsing commission or central committee meeting may be called for the purpose of considering an endorsement and, if called, must be held within 18 days after the primary. In the absence of any direction to the contrary by a convention or endorsing commission, a central committee may endorse between such conventions or endorsing commissions. Such endorsement must otherwise conform to the rules governing endorsement by the convention and can only be granted by a 60% majority of central committee Members present and voting. Such endorsement may be made only at a central committee meeting properly called with sufficient notice, including official notice of intent to endorse. A quorum for endorsement of a congressional candidate shall be 50% of the Membership of the central committee. After an endorsement, the Fifth Congressional District DFL may provide funds and organizational support only to the endorsed candidates.

Section 6. Party Training, Development, and Outreach

The Fifth Congressional District Chair and all other officers at all levels shall undertake a communitywide education/training/outreach program on the precinct caucus/convention process. This program shall work with existing community organizations. This training shall continue and be offered to elected delegates, alternates, and party officers between each level of convention. This training shall be open to all DFLers.

Section 7. Accessibility

All Fifth Congressional District DFL Executive and Central Committees meetings, conventions, and pre-convention committees will be held in public buildings accessible to persons with disabilities and senior citizens. Buildings which by their character prevent open discussion of any issue are not suitable locations. If commercial establishments are utilized, unionized establishments shall be given priority in site consideration. Wherever possible, meetings will be held at locations accessible to public transportation. At least 75% of Fifth Congressional District DFL fundraisers and other public events will be held at accessible sites as defined by the Minnesota State DFL Constitution and Bylaws. Official notices will address the accessibility status of the site on all such events. Where practical, selected sites should be within the boundaries of the Fifth Congressional District.

Every meeting notice or call to convention or endorsing commission shall include information regarding the name of the person to contact, how to contact that person, and the deadline for requesting reasonable accommodation for persons with disabilities.

Section 8. Conduct, Dignity, and Respect

Fifth Congressional District Officers, Central Committee, and the Executive Committee aspires in its meetings, communications, events, and outreach and inclusion to respect the diversity, culture, and dignity of all people. The Fifth Congressional District aspires to conduct the business of the party in a manner that respects and values the diverse residents who are engaged in its work. As a volunteer organization dedicated to the promotion of equity, human rights and shared values, the mutual respect and dignity of our Members is of paramount importance. All Fifth Congressional District Members must agree to abide by the Rule Book of the Minnesota DFL Party. Threats or acts of violence, intimidation, sexual harassment or assault, bullying, harassment, and abusive conduct shall be considered malfeasance, whether physical, verbal, written, or visual. Retaliation against a person or people who report such conduct or malfeasance in good faith, shall be considered malfeasance.

Section 9. Ethics and Financial Conflict of Interest

No officer or Member of the CD5 DFL Central or Executive Committees shall participate in debate or vote

on matters in which she/he shall have a direct financial interest. In such matters, Members of the Central or Executive Committee shall disclose the direct financial interest and shall recuse themselves from said debate and shall not vote on the matters before the Central or Executive committee. A conflict of interest exists whenever an individual, and organization they are paid by, or a member of their family has a direct financial or professional stake in a matter under consideration by the Central or Executive Committee. Violation of this provision shall be considered malfeasance. If an individual is found to have participated in debate or voted on a motion in which they had a conflict of interest, a motion to reconsider made by any other Member who voted on that motion will be in order.

Section 10. Equal Gender Distribution

Whenever elections occur and more than one individual is to be elected, the election shall result in equal gender identity distribution, meaning that the number of individuals elected of the male or female gender identity cannot exceed the other by more than one (nonbinary individuals shall be considered independent of this standard) unless candidates sufficient to fulfill this obligation do not exist. An individual's gender identity is determined by self-identification.

Article 4

Congressional District Convention

Section 1. Convention

A convention composed of Delegates and Alternates to the state convention elected from and residing in the Fifth Congressional District shall be held in each even-numbered year pursuant to the current DFL Constitution and Bylaws, and Official Call. A majority of the Delegates and Alternates seated as Delegates shall constitute a quorum.

Bylaw A. All Fifth Congressional District Officers and Directors in good standing, and all Fifth Congressional District Delegates and Alternates to state party standing committees, shall serve as non-voting Delegates to each Fifth Congressional District convention.

Section 2. Credentials Challenges

All credential challenges against Delegates or Alternates shall be decided by a majority vote of Delegates and upgraded Alternates. No challenged Delegate or Alternate may vote on the validity of their own credentials. No delegation shall vote on a challenge to that delegation's seating.

Section 3. Convention Call

The time, date, and place of a convention shall be determined by the Fifth Congressional District chair or a majority of the executive committee. The chair shall ensure that written notice, including the time, date, and place of the convention, the names of the convention

conveners, and other pertinent information, be mailed or presented to all Delegates, Alternates, and others at the discretion of the chair, at least 10 days before the convention.

Section 4. Convention Committees

The Executive Committee shall make arrangements for pre-convention committees for the Fifth Congressional District convention, including the appointment of committee conveners. Pre-convention committees for the Fifth Congressional District convention shall be elected by and from among the Delegates and Alternates to the 5th Congressional District convention. Each committee shall consist of two Delegates and two Alternates from each senate district wholly or partially within the Fifth Congressional District.

Bylaw A. Pre-convention committees may include committees on Arrangements, Constitution and Bylaws, Nominations, Rules, Credentials, or other committees as considered necessary by the Fifth Congressional District Executive Committee.

Bylaw B. The first order of business at each committee shall be the election of a permanent committee chair. For the district convention, the rules committee, and constitution committee shall provide a written copy of their report for each Delegate before the delivery of their report to the convention.

Bylaw C. The nominations committee shall not recommend its members as candidates for party office or state pre-convention committees or state party standing committees unless no other candidates are available.

Section 5. Convention Business

The convention shall elect congressional district party officers, state central committee member(s), state director(s), state standing committee member(s), and it may endorse a candidate for the U.S. House of Representatives. In presidential election years, the convention shall nominate a presidential elector, an Alternate presidential elector, and national convention Delegates and Alternates in accordance with the rules and directives of the State DFL Party and National Democratic Committee. The convention may adopt or amend a constitution and bylaws, and may conduct such other party business as may properly come before it.

Bylaw A. The Fifth Congressional District chair shall act as convener of the convention.

Bylaw B. Convention rules shall be approved by a majority of Delegates and upgraded Alternates.

Bylaw C. At all conventions and endorsing commissions, Alternates and visitors must be clearly separated from officially accredited Delegates.

Bylaw D. A Delegate vacancy shall exist if a Delegate moves their legal residence from the

senate district in which he or she was elected. In case a Delegate moves from one senate district to another within the Fifth Congressional District, he or she will become the last Alternate in the senate district of their new residence.

Bylaw E. The Convention may pass resolutions relating to local matters but shall not adopt platforms.

Section 6. Emergency Meeting (as needed)

If the Convention loses quorum, (and therefore must adjourn) before completing its business, the CD5 Chair shall be authorized to call and convene an Emergency Meeting (composed of the Convention Delegates still present) for the sole purpose of electing the District Officers or considering the endorsement for Congress in the 5th District. This Emergency Meeting will convene 30 minutes after the adjournment (forced by the loss of quorum) of the previous convention, and shall be governed by the Rules adopted at the previous Convention.

Article 5 Officers

Section 1. Officers & Their General Responsibilities

The Fifth Congressional District officers shall consist of a chair, vice chair (not of the same gender as the chair), Affirmative Action Officer, Secretary, Treasurer, communications officer, and 12 to 19 Directors-at-Large, with no more than 2 Directors per Organizing Unit within the Fifth Congressional District. The officers shall have such authority and perform such duties as the applicable Articles and Bylaws may prescribe. Proportional voting may be requested for the election of directors.

Bylaw A. It is the responsibility of all officers of the CD5 Central Committee and directors between Conventions to:

- 1) advance inclusion and outreach goals of residents seeking to engage and participate who were not residents of the CD5 during the previous Precinct Caucus and District Convention cycle,
- 2) advance inclusion and outreach goals of residents who were not of sufficient age to participate under Minnesota DFL party rules, and
- 3) advance inclusion and outreach goals of communities the Central Committee deems are underrepresented or under-engaged in the Fifth Congressional District
- 4) abide by the Rule Book of the Minnesota DFL Party.

Bylaw B. The order of temporary succession shall be Chair, Vice Chair, Affirmative Action Officer, Secretary, Treasurer, Communications Officer, and Directors in order of their appearance

on the report of the convention at which they are elected.

Section 2. Chair

The chair shall be the chief executive officer of the Fifth Congressional District party. The chair shall be empowered to convene & conduct meetings of the central and/or executive committee and shall convene the Fifth Congressional District convention. The chair shall be responsible for implementing the accessibility requirements of Article 3, Section 7. The chair shall serve as the primary contact point for the district to other DFL officials. The Chair shall also work with the Vice Chair to inform/train district members about the DFL Code of Conduct.

Bylaw A. The chair may be given approval from the Fifth Congressional District Executive Committee for discretionary spending between meetings.

Bylaw B. Chair Emeritus The immediate past CD5 Chair shall, except in the case of removal from office or resignation, shall serve as Chair Emeritus for a period of one year from the date of the CD5 Convention upon adjournment of which their term ended. The Chair Emeritus shall assist with orderly leadership transition and at the request of the Chair may assist with other duties such as onboarding and training of new officers and directors.

Section 3. Vice Chair

The vice chair shall aid the chair and shall fulfill the duties of the chair in the absence or inability of the chair to carry out their duties. Shall, at all times, also be responsible for informing/training district members about the Code of Conduct.

Section 4. Affirmative Action Officer

The Affirmative Action officer shall prepare and enforce a district affirmative action, outreach, and inclusion plan to promote ongoing increased access, and increased participation of traditionally and currently underrepresented communities. The Affirmative Action officer shall serve as a DFL resource and district contact point for persons with disabilities.

Section 5. Secretary

The secretary shall:

- a) keep minutes of all central and executive committee meetings,
- b) keep records of all official district actions,
- c) prepare all necessary documents,
- d) prepare and send all official Fifth Congressional District notices,
- e) send copies of revised constitution and minutes of conventions to the State DFL office for permanent recording, and

- f) oversee the credentialing process at meetings of the CD5 DFL Central Committee and Executive Committee.

Section 5. Treasurer

The treasurer shall:

- a) manage all party funds,
- b) submit a full written report of receipts and disbursements to each central and executive committee meeting and the Fifth Congressional District convention, and
- c) complete and submit any report on party finances or campaign contributions required by agencies of the state or federal government.

Section 7. Communications Officer

The communications officer shall:

- a) manage the digital presence of the Fifth Congressional District including, but not limited to, its website, social media, newsletter, email updates to the membership, and for keeping such content current,
- b) maintain contact with the Minnesota DFL Party communications office and shall be responsible for promulgating the notices and press releases that may be required of the Congressional District by the Minnesota DFL Party as set forth in the Official Call,
- c) provide communications support to other teams, and at the direction of the Chair, notify members of the Executive and Central Committees of meetings of this organization, and
- d) responsibility for transferring ownership of and passwords for all district digital accounts.

Article 6

Central, Executive, and Ad Hoc Committees

Section 1. Fifth Congressional District Central Committee

Between conventions, the Central Committee may declare and fill vacancies among district party officers according to Article 7. A quorum shall consist of 20% of the elected delegates with one third of the whole or partial senate districts represented. The Fifth Congressional District Central Committee shall include the Executive Committee and those members of the State Central Committee residing in the district of each senate district or portions thereof.

Section 2. Fifth Congressional District Executive Committee

The Fifth Congressional District Executive Committee shall consist of the Fifth Congressional District Officers, the two highest ranking officers of each Senate District (ranked Chair, Vice Chair, Affirmative Action/Outreach & Inclusion Officer, Secretary, and Treasurer) residing in the

Fifth Congressional District. Any Senate District partially within the Fifth Congressional District with no officers residing in the Fifth Congressional District may elect one member to the Executive Committee. The Executive Committee shall include all members of the State Executive Committee residing in the Fifth Congressional District. The Executive Committee may designate a member of the Executive Committee to serve as the Deputy Treasurer, who shall assist the Treasurer and who shall assume the duties of the Treasurer if the office of the Treasurer becomes vacant. The Deputy Treasurer will relinquish the duties of the Treasurer upon the filling of the vacancy of the Treasurer.

Bylaw A. The Central Committee shall meet at least monthly, except during those months when a State Central Committee meeting occurs. The Executive Committee may meet as needed to attend to urgent business matters between Central Committee meetings. The Central Committee may be called to meet by the chair, by one-eighth of the membership of the Central Committee, or by a majority of the Executive Committee. Notice of meeting, specifying time and place, shall be sent in writing by U.S. mail to all members of the committee not less than 10 days in advance of the meeting, or not less than 72 hours in advance of the meeting if given by telephone, personal delivery, express mail, e-mail, or any other method with guaranteed arrival at least 72 hours in advance.

Bylaw B. Any member of a standing committee, other than ex-officio members, who shall have three consecutive unexcused absences from committee meetings, if notified by the committee after two such absences, shall be considered to have resigned, and the position shall be declared vacant.

Bylaw C. The Central Committee shall be responsible for the management of party affairs in the district, subject to the control of the governing convention.

Bylaw D. The Executive Committee shall be responsible for the administration and organization of party affairs within the district, subject to the control and direction of the Fifth Congressional District convention and the central committee.

Section 3. Ad Hoc Committees of the Fifth Congressional District

The Fifth Congressional District Central Committee may, by a majority vote, authorize ad hoc committees to perform specific district functions, appoint its members following equal gender identity distribution requirements, and appropriate funds for committee work. Any such committee shall persist until completion of its business or dissolution by the Central Committee, whichever comes first.

Article 7
Vacancies

Section 1. Declaring Vacancies

The central committee is responsible for declaring and filling vacancies in its membership elected at its governing convention, in the position of district presidential elector nominee, in the congressional district delegation to the national convention, and in the position of endorsed congressional candidate. A vacancy exists for the following reasons: resignation, resignation by absence, death, change of residence to a place outside the Fifth Congressional District, election to a different position that confers membership on the central committee, or dismissal for cause as provided in Section 2. A majority vote is sufficient to declare a vacancy at a meeting properly called with notice of intent to fill a vacancy. Only those vacancies specified in the meeting notice may be filled at the meeting. Vacancies shall be filled within 60 days of their occurrence. In the case of a vacancy of the chair, the vice chair shall succeed to the office, and a new vice chair shall be elected by the central committee. In the case of vacancies in the position of director, the central committee need not fill the vacancy unless the total is less than 19. Vacancies in other party officer positions shall be filled by the central committee. A designated officer shall provide written notification to a member of the central or executive committee after 2 consecutive unexcused absences, of their respective committee, that an unexcused absence at the next meeting shall be considered a resignation of the position declared vacant.

Section 2. Dismissals

The central committee may dismiss a member, party officer, or other position elected at its governing convention, or a successor, for cause only on the grounds of clear malfeasance or nonfeasance in office. For such dismissal, a two-thirds majority of the vote of the members present and eligible to vote is required, but only after the member is given 30 days written notice specifying the cause and is granted a hearing.

Section 3. Nonfeasance and Malfeasance Defined

Failure of party officers, committee members, or commission members to perform the duties prescribed by governing institutions or bylaws shall constitute nonfeasance and shall constitute cause for dismissal from office as provided in Section 2. Malfeasance shall include but not be limited to: personal endorsement, financial assistance, or other support or assistance by a party officer, committee members, or commission members to a candidate running in opposition to an endorsed DFL candidate, or failure to abide by the Rule Book of the Minnesota DFL Party.

Section 4. Disposition of Party Records

Upon leaving office, a party officer shall turn over all records, books, and properties of the party to the successor or to the body responsible for naming a successor.

Article 8
Amendments and Bylaws

Section 1. Amendments

This constitution may be amended by a majority of any convention of the Fifth Congressional District where consideration of the constitution is indicated as part of the call.

Bylaw A. Constitution and Bylaws Commission.

The Fifth Congressional District Constitution and Bylaws Commission shall consist of up to two delegates selected by each Senate District wholly or partially within the Fifth Congressional District, and any member of the state Constitution, Bylaws, & Rules Committee residing within the Fifth Congressional District. The Fifth Congressional District Constitution and Bylaws Commission shall have as minimum objectives:

- 1) perform periodic reviews of superior documents with a view towards resolving any conflicts,
- 2) draft proposed revisions to the Fifth Congressional District Constitution and Bylaws to resolve any conflicts, and
- 3) present such proposed revisions to the Fifth Congressional District Convention and/or Central Committee for approval, as appropriate.

Section 2. Bylaws

Bylaws concerning matters not expressly governed by or in conflict with this constitution or Minnesota election laws may be adopted by a two-thirds vote of the Fifth Congressional District Central Committee members voting on the question, provided that a quorum is present, and further provided that such bylaws were discussed at the previous meeting of the central committee and a notice of intent to consider the bylaws was included in the meeting notice. Bylaws may also be amended or adopted by a majority vote of any Fifth Congressional District DFL convention.