

**DEMOCRATIC-FARMER-LABOR PARTY OF MINNESOTA**  
**CONGRESSIONAL DISTRICT 5**  
**CONSTITUTION & BYLAWS**  
**As adopted by the convention on May 5, 2018**

**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.

**Article I**

**Name, Membership, Eligibility for Office**

§ 1. **Name**

The name of this organization shall be the Fifth Congressional District Organization of the DFL Party.

§ 2. **Purpose**

The purposes of this organization shall be

- (1) to search for, endorse, and elect a Democratic congressional representative for the Fifth District,
- (2) to encourage and aid in cooperation between the senate district organizations in the Fifth District, and
- (3) to represent the interests of the Fifth District DFL members to the government of Minnesota and to the DFL Party.

§ 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.

§ 4. **Eligibility for Party Office**

Persons who meet the requirements of Article I, Section 3, are eligible for election to any party office.

**Article II**  
**Subordination**

§ 1. **Subordination**

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

All matters not governed by this constitution or by a bylaw shall be governed by Robert's Rules of Order, Newly Revised.

**Article III**  
**General Rules, Policy**

§ 1. **Affirmative Action, Outreach, and Inclusion**

The Fifth District chair, the affirmative action officer, and all other DFL Party officials shall take proactive steps to encourage traditionally underrepresented constituencies to actively participate in party affairs and to seek election as delegates, officers, and members of party committees. These affirmative efforts shall be directed to special constituencies, including low and moderate income persons, youths, senior citizens, persons with disabilities, Black/African-Americans, Asian-Pacific Americans, Chicano/Latino Americans, Native Americans, LGBTQIA Persons, and all other underrepresented groups, and shall ensure equal gender division pursuant to state party rules.

The district central committee shall consider and adopt, implement, and evaluate an affirmative action plan each biennium.

District party officers shall inform members of such special constituencies how to participate effectively in the selection processes. Further, all party members are encouraged to select members of such constituencies when voting, to the end that their constituencies be represented on delegations, in committees, and as party officers in reasonable proportion to their presence in the congressional district.

To this end, an affirmative action, outreach, and inclusion statement shall be read and explained when meetings are convened and immediately before electing officers and delegates at all precinct caucuses and conventions and shall be included in the calls to conventions.

**Bylaw A. Affirmative Action, Outreach, and Inclusion Commission.** The Fifth District affirmative action officer shall convene at least once each year the Fifth District Affirmative Action, Outreach, and Inclusion Commission composed of (1) the Fifth District affirmative action officer, (2) the affirmative action/outreach officers of each senate district located in whole or in part within the Fifth Congressional District, (3) the affirmative action/outreach officers of each DFL Party organizations established for a county or city located in whole or in part within the Fifth Congressional District, and (4) any member of the

## CD5 DFL CONSTITUTION & BYLAWS

state Outreach and Inclusion Committee residing within the Fifth Congressional District.

To assist in the implementation of affirmative action, outreach, and inclusion, the Fifth District Affirmative Action, Outreach, and Inclusion Commission shall:

- (1) Ensure that each senate district prepares a senate district affirmative action plan containing specific and documented steps to encourage full access, participation and representation of all groups in the DFL Party at the senate district level.
- (2) Advise and assist the Fifth District affirmative action officer in the preparation of the Fifth District affirmative action plan containing specific and documented steps to encourage full access, participation, and representation of all constituencies in the DFL Party in the Fifth District.
- (3) Develop and implement strategies and activities for community-wide education, training, and outreach, including the dissemination of educational and party materials (such as the DFL Call and DFL Constitution) to DFL members at all levels.
- (4) Coordinate the implementation of affirmative action, outreach, and inclusion strategies and activities within and among the congressional district, senate district, and the city DFL Party organizations.
- (5) Be responsible for informing members of the DFL Party regarding the availability of challenges to delegations and officers based on noncompliance with the affirmative action plan at each level and shall serve as a resource to any affected person or persons who wish to make a challenge on that basis to the State DFL Outreach Officer.
- (6) Activities under the purview of the Affirmative Action-Outreach Officer shall include but not be limited to the handling of requests for interpretation, translation of party documents, and ensuring accessibility of meetings and conventions

### § 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.

### § 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.

### § 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.

### § 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 that 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 District DFL may provide funds and organizational support only to the endorsed candidates.

### § 6. **Party Training, Development, and Outreach**

## CD5 DFL CONSTITUTION & BYLAWS

The Fifth 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.

### § 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.

### § 8. **Conduct, Dignity and Respect**

CD5 Officers, Central Committee, and the Executive Committee aspires in its meetings, communications, events, and outreach and inclusion to respect the diversity, cultures and dignity of all people. CD5 DFL Party aspires to conduct the business of the party in a manner that respects and values the diverse residents who are engaged in the work of CD5. 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. 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.

### § 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

## Article IV

### Congressional District Convention

#### § 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. 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 under Article VIII, Section I of this constitution and all Fifth Congressional District delegates and alternates to state party standing committees shall serve as nonvoting delegates to each Fifth Congressional District convention.

#### § 2. **Credentials Challenges**

All credentials 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.

#### § 3. **Convention Call**

The time, date, and place of a convention shall be determined by the Fifth 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

## CD5 DFL CONSTITUTION & BYLAWS

delegates, alternates, and others at the discretion of the chair, at least 10 days before the convention.

### § 4. Convention Committees

**Bylaw A.** The Executive Committee shall make arrangements for preconvention committees for the Fifth District convention, including the appointment of committee conveners. Preconvention 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 District.

**Bylaw B.** Preconvention committees may include committees on arrangements, constitution, nominations, rules, endorsements, or other committees as considered necessary by the Fifth District executive committee.

**Bylaw C.** 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 D.** 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.

### § 5. Convention Business

The convention shall elect congressional district party officers, 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 resolutions and adopt or amend a constitution and may conduct such other party business as may properly come before it.

**Bylaw A.** The Fifth 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.

## Article V Officers

### § 1. Officers

The Fifth Congressional District DFL Party officers shall consist of a chair, a vice chair (not of the same gender as the chair), an affirmative action officer, a secretary, a treasurer, and 19 directors at large. The affirmative action officer shall be the outreach officer for the purposes of the State DFL Constitution and Bylaws. These officers shall be gender balanced. The officers shall have such authority and perform such duties as the applicable bylaws may prescribe. The officers shall be elected by the district convention. Proportional voting may be requested for the election of directors.

**Bylaw A.** The chair shall be the chief executive officer of the Fifth District party. The chair shall be empowered to convene and conduct meetings of the central committee and executive committee and shall also convene the Fifth District convention. The chair shall be responsible for implementing the accessibility requirements of Article III, Section 7.

**Bylaw B.** The vice chair shall aid the chair and shall fulfill the duties of the chair in the absence or inability to act of the chair.

**Bylaw C.** The affirmative action officer shall prepare and enforce the district's affirmative action plan, as provided in Article III, Section 1, and shall develop, coordinate, and ensure implementation of specific activities designed to promote ongoing and increased access to and participation of traditionally underrepresented constituencies in party affairs. The affirmative action officer shall be responsible for

## CD5 DFL CONSTITUTION & BYLAWS

maintaining a list of resources available for persons with disabilities.

**Bylaw D.** The secretary shall:

- (1) keep minutes of all central and executive committee meetings,
- (2) keep records of all official district actions,
- (3) prepare all necessary documents,
- (4) prepare and send all official Fifth District correspondence,
- (5) notify all members of central and executive committee meetings,
- (6) send copies of revised constitution and minutes of conventions to the State DFL office for permanent recording, and
- (7) shall oversee the credentialing process at meetings of the CD5 DFL Central Committee and Executive Committee, as well as assisting any CD5 DFL Pre-Convention Committee convened by this organizing unit.

**Bylaw E.** The treasurer shall:

- (1) manage all party funds,
- (2) submit a full written report of receipts and disbursements to each central and executive committee meeting and the Fifth District convention, and
- (3) submit all records to the auditing committee for an audit at least annually, or more frequently as requested by the central or executive committee.

The treasurer shall also complete and submit any report on party finances or campaign contributions required by agencies of the state or federal government.

**Bylaw F:** The Communications Officer shall:

- (1) manage the digital presence of CD5 DFL Party, and shall be responsible for the CD5 DFL website, social media site, newsletter, email updates to the membership, and for keeping content current on the website and social media site.
- (2) 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.
- (3) 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.

**Bylaw G.** 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 residents whom the Central Committee deems to represent communities that are underrepresented or under-engaged in the work of CD5.
- (4) Three (3) Individuals from current officers including affirmative action and outreach office may be selected to ensure the execution.

**Bylaw H.** The order of temporary succession shall be chair, vice chair, affirmative action officer, secretary, treasurer, and directors in order of their appearance on the report of the convention at which they are elected.

**Bylaw I: 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.

### Article VI Central and Executive Committees

§ 1. **Congressional District Central Committee**  
Between conventions, the Central Committee may declare and fill vacancies among district party officers according to Article VIII.

A quorum shall consist of 20% of the elected delegates with one third of the whole or partial senate districts represented. The 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.

## CD5 DFL CONSTITUTION & BYLAWS

### § 2. **Congressional District Executive Committee**

The Congressional District Executive Committee shall consist of the Congressional District officers, the two highest ranking officers of each Senate District (ranked chair, vice chair, affirmative action/outreach 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 semiannually. The Executive Committee shall meet at least quarterly. The committees may be called 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.** The Central Committee shall be responsible for the management of party affairs in the district, subject to the control of the governing convention.

**Bylaw C.** 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 District convention and the central committee.

**Bylaw D.** The Executive Committee shall also appoint an auditing committee, composed of three members of the organization not on the Executive Committee, to thoroughly review the financial statements and supporting documents of the organization before the convention, and the report of this committee shall be delivered at the convention.

### **Article VII** **City Party Organizations**

Any city wholly within the Fifth Congressional District may organize a central committee to serve as the governing body for party affairs between city conventions. The city central committee may propose its own constitution that is not inconsistent with this constitution, the state DFL constitution, or law for consideration at the next city convention.

Members of city central committee shall be those members of the Fifth District Central Committee residing in the city and others as provided in the city DFL constitution. The chair of the city central committee shall be the highest ranking Fifth District officer residing in the city unless otherwise provided in the city DFL constitution.

### **Article VIII** **Vacancies**

#### § 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.

## CD5 DFL CONSTITUTION & BYLAWS

### § 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.

### § 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.

### § 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 IX Amendments and Bylaws**

### § 1. **Amendments**

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

#### **Bylaw A. Constitution and Bylaws Commission.**

The Fifth 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) Recommend refinements and changes to the Constitution and the Bylaws.
- (3) To that end, continue on an ongoing basis drafting of revisions to the Fifth District Constitution and Bylaws and to report such recommended changes to the Fifth Congressional District Convention.

The Fifth District Constitution and Bylaws Commission shall consist of two delegates selected by each Senate District wholly or partially within the

Fifth Congressional District and shall also include any member of the state Constitution, Bylaws, and Rules Committee residing within the Fifth Congressional District.

### § 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 District Central Committee members voting on the question, provided that a quorum is present, and further provided that such bylaws were considered 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 adopted by a majority vote of any Fifth District DFL convention.