

THE CONSTITUTION OF THE  
DEMOCRATIC PARTY OF THE STATE OF MISSISSIPPI

ARTICLE I: NAME

1. The name of this organization shall be the Democratic Party of the State of Mississippi.
2. The official emblem of the Democratic Party of the State of Mississippi shall be the picture or facsimile of a donkey with his head and tail raised, a small white blanket across his back with a black, block-letter D inscribed upon it, standing inside a black circular band with the following wordage inscribed on said band in white lettering running counterclockwise, the "Democratic Party of the State of Mississippi."
3. The domicile and official business address shall be at a street or mailing address, as may be authorized by the Administrative Committee, in Jackson, Hinds County, Mississippi.

ARTICLE II: MEMBERSHIP

1. Membership in this Party is open to all qualified Mississippi electors who profess to support the principles of the Democratic Party.
2. The Democratic Party of the State of Mississippi on all levels shall support the broadest possible participation without discrimination on the grounds of race, color, creed, sex, age, national origin, economic status, religion or ethnic identity. The Party shall take whatever affirmative action may be necessary to ensure and encourage the fullest participation of all eligible members, and the Executive Committee of the Democratic Party of the State of Mississippi is empowered as hereinafter set forth to promulgate such rules, regulations or requirements in furtherance of the affirmative action goals of this Party.
3. No test for membership in, nor any oaths of loyalty to, the Democratic Party of the State of Mississippi shall be required or used which have the effect of requiring prospective or current members of the Party to acquiesce in, condone or support discrimination on the grounds of race, sex, age, color, creed, national origin, religion, ethnic identity or economic status. No membership card or dues shall be required of any person as a condition for being a member of this Party.
4. All public meetings at all levels of the Democratic Party of the State of Mississippi shall be open to all members of the Party regardless of race, sex, color, creed, national origin, religion, ethnic identity, economic status, or philosophical persuasion.
5. The Democratic Party of the State of Mississippi and all units thereof shall publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that all prospective and current members of each Party unit will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Party organization.

ARTICLE III: PARTY STRUCTURE

1. The structure of the Democratic Party of the State of Mississippi shall consist of an Executive Committee from each County and Congressional District and a State Executive Committee chosen by delegates duly elected at each such level.
2. In January, 1980, and every four years thereafter, precinct caucuses shall be held for the purpose of electing delegates and alternates duly apportioned to represent such precincts at a County Convention.
3. County Conventions shall be held in February, 1980, and every four years thereafter for the purpose of electing delegates and alternates duly apportioned to a Congressional District Convention and State Convention, and to elect a County Executive Committee to serve for four years, to adopt or amend County Party rules, adopt resolutions and conduct such other business as may come before it.
4. Congressional District Conventions shall be held in February, 1980, and every four years thereafter to elect a Congressional District Executive Committee to serve for four years, to select delegates and alternates to the Democratic National Convention as hereinafter provided and to adopt resolutions and conduct such other business as may come before it.

5. A State Convention shall be held in March, 1980, and every four years thereafter at a time and place to be designated by the State Executive Committee to select delegates and alternates to the Democratic National Convention as hereinafter provided, to select National Committee men and women as designated by the Democratic National Committee, to select a State Executive Committee, to select one or more slates of Presidential Electors, to adopt a platform, to promulgate principles and Party rules, and take such further action deemed proper by the Convention. The Convention may adjourn from day to day or to such time and place or times and places as it may appear proper and desirable. Delegates to the State Convention shall be duly apportioned by County and selected by duly apportioned County delegate conventions to be held in each County. County delegates and their alternates shall be certified to the Secretary of the State Executive Committee and a roll call at the State Convention of the County delegates and alternates, and no other shall participate or vote in the State Convention except County delegates or alternates so certified.

6. At least thirty days before the convening of the precinct caucuses, the State Executive Committee shall issue a convention call for the selection of delegates to the aforesaid precinct, county, Congressional District and state conventions in accordance with the Party's delegate selection plan and shall announce the specific times and places for said Conventions, along with the rules of procedure for the conduct of said Conventions.

7. Each participant in any precinct, county, District or other Party Convention before being allowed to vote or otherwise participate, shall sign the following statement of principles: "I, \_\_\_\_\_, hereby declare that I am a member of the Democratic Party of the State of Mississippi and am not affiliated with any such other political Party."

8. The time and place for all public meetings of the Democratic Party of the State of Mississippi and all units thereof, shall be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings shall be held in places accessible to all Party members and large enough to accommodate all interested persons.

9. The Democratic Party of the State of Mississippi and all units thereof shall publicize fully and in such manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all officers and representatives of the Democratic Party of the State of Mississippi. Such publications shall be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within the Party will have full and adequate opportunity to compete for office.

#### ARTICLE IV: EXECUTIVE COMMITTEES-GENERAL

1. The provisions of this Article shall apply to Executive Committees of each Party unit, including county, Congressional District and state.

2. The Executive Committee shall be vested with all powers and authority to conduct the affairs of its respective Party unit until the close of the regular unit convention next following the election of the members of the Executive Committee.

3. The Executive Committee shall elect its own officers.

4. The members of the Executive Committee shall hold office for four years or until their successors are chosen.

5. Vacancies on the Executive Committee may be filled by majority vote of the members present and voting at a duly called or regularly scheduled meeting not less than thirty (30) days after notice of the filling of vacancies is given.

6. The seat of any member of any Party unit Executive Committee shall be declared vacant by a two-thirds vote of those members present and voting at any regularly scheduled or called meeting of the Executive Committee upon the happening of one of the following:

(a) It is brought to the attention of the Executive Committee in writing that a Committee member has missed three or more consecutive regular meetings of the Committee.

(b) It is brought to the attention of the Committee that a Committee member is publicly, actively or financially supporting the candidacy of any person not running as a Democrat, except in non-partisan elections;

(c) Malfeasance, misfeasance or nonfeasance in office;

(d) Resignation;

(e) Death of a member;

(f) If a member moves his/her legal residence from his/her duly elected District, he/she may be replaced.

7. Provided that before the seat of any Committee member is declared vacant all members of the Executive Committee and the accused member whose seat is proposed to be vacated shall be given thirty (30) days written notice specifying the cause or causes in reasonable detail as to time, date, place, accusers and witnesses thereof. The accused member whose seat is proposed to be vacated may make a written request for a hearing before the Executive Committee any time within the first twenty (20) days of such notice, but the written request for hearing shall be received by the Secretary of the Committee and a copy thereof by the Chairperson of the Committee not later than ten days prior to the date set for such meeting of said Executive Committee. If such written request for a hearing before the Committee is so received, then in that event, the Committee shall grant a reasonable period of time during such meeting before the Executive Committee shall take final action thereof. If no hearing is requested within such period of ten (10) days prior to the scheduled meeting, it shall be deemed acquiescence by the accused member to the Executive Committee's proposed declaration of vacancy and the accused member's vacancy shall take effect upon approval of two-thirds of the membership present and voting of the Executive Committee.

8. Any hearing held pursuant to this Article shall be private or public at the discretion of the accused member. The Committee and the accused member may be represented by legal counsel at their own expense, and such counsel may examine and cross-examine witnesses and present arguments. All guidance thereof shall be under the authority of the Chairperson with the consent and advice of the Parliamentarian. The Committee shall first present evidence to sustain the grounds for vacating the Committee member's seat and then the accused member shall present his or her evidence in defense. The accuser and the accused may then present rebuttal evidence. The vacating of a member's seat shall be based upon substantial, competent and reasonably prudent evidence. All witnesses shall be sworn upon oath to be administered by the Presiding Officer of the Executive Committee. If requested, either by the accused member or the Committee, a Court reporter to record the proceedings at the hearing shall be obtained upon due and proper filing of cost bond therefore, and a transcript thereof may be purchased at their own expense. The Committee shall issue its decision and order in writing. If the Committee orders the seat vacated, its decision shall include the findings of fact based upon the evidence presented and shall be served upon the accused member together with its order vacating the seat within ten days after the conclusion of the hearing, by U. S. Postage Prepaid Mail, at the accused member's usual mailing address. If the decision of the Committee is favorable to the accused member, the proceedings shall be dismissed and the decision of dismissal entered into the Committee's minutes.

9. All meetings of the Executive Committee shall be open to the public except by majority vote of the members present and voting of the Committee to go into Executive Session.

10. Meetings of the Executive Committee may be called by the Committee Chairperson or by twenty-five (25) percent of the membership of the Committee. Written notice of the calling of Executive Committee meetings shall be mailed to all Committee members at their last known mailing addresses not less than ten (10) nor more than twenty-one (21) days prior to such meetings except in emergencies whereupon the written notice and time requirements may be waived. The notice shall specify the time and place of the Executive Committee meeting and contain an agenda.

11. A quorum for any Executive Committee meeting shall consist of thirty-five percent (35%) of the members of said Committee.

12. Upon leaving office, each Party officer or employee shall turn over all Party records, books, finances, and other properties of the Executive Committee to his or her successor or to the Executive Committee itself.

#### ARTICLE V: STATE EXECUTIVE COMMITTEE

1. All powers and authority to conduct any and all affairs of the Democratic Party of the State of Mississippi shall be vested in a State Executive Committee of the Democratic Party of the State of Mississippi consisting of twenty Party members from each Congressional District, seventy-five percent of whom shall be chosen from delegates, duly apportioned, of the different Congressional Districts, each District acting separately, at its respective District Convention and the remaining twenty-five percent shall be elected at the state convention in a manner and method set by the State Executive Committee to help ensure balance between men, women, youth and minorities, and announced at the time of

the call of the Convention. The membership of the State Executive Committee shall be equally divided between men and women. 4

2. The Committee is empowered and authorized to conduct and certify primary elections and canvass returns as provided by law, certify Party primary candidates, establish Federal Election Committees and do all other duties conferred upon it by State or Federal law.

3. The State Executive Committee shall have the power to elect its officers and shall be the final authority on any questions involving the Party, its officers, nominees and/or other Executive Committees. The State Executive Committee, except as otherwise provided, shall have sovereign, original, appellate and supervisory power and jurisdiction of all Party matters throughout the State and each county thereof between Conventions. It is empowered and authorized to prescribe and enforce rules, regulations and penalties against the violation of Party loyalty, including the removing or debarring from the Party office or Party privilege anyone within its jurisdiction, including a member of this Committee, who violates its rules or its other lawful mandates.

4. The State Executive Committee may review, on appeal, the decisions of the District, county, and precinct conventions or committees, in all cases concerning the nomination of officers and all matters relating to rules and policies as hereinafter provided.

5. Members of the Democratic National Committee from Mississippi, the chairperson of the Democratic County Chairmen's Executive Committee Association and the President of the official Mississippi Young Democrats organization are ex-officio, non-voting members of the State Executive Committee.

6. The State Executive Committee shall meet on a regular basis at least quarterly and upon such other occasions as may be necessary.

7. The State Executive Committee, in the event sufficient cause should arise, and a majority of the membership of the Committee deem such to be necessary for the best interest of the Party and the State, is authorized and empowered to reconvene the State Convention at any time after adjournment of said Convention but not later than the last day of the year in which the Convention was held. The delegates chosen from the respective counties to a State Convention shall continue to be delegates from such county to said convention for a period of not later than the last day of the year in which the said convention was held. Said convention may be reconvened upon the call of the Chairperson of the State Executive Committee at any time it is deemed in the best interest of the Party to do so, and the Chairperson shall issue said call for reconvening of a State Convention only by and with the approval of a majority of the State Executive Committee. At least fourteen (14) days notice shall be given by the Chairperson of the State Executive Committee of the reconvening of the State Convention, such notice to be given by publication of the call of the Chairperson in any newspaper or newspapers, having general circulation throughout the State, and by mailing said notice to each Chairperson of the respective county and District executive committees. In the event a State Convention is reconvened as herein provided, it may exercise all of the power and authority of a regular State Convention.

8. Salaried officers and employees of the State Executive Committee or of the State Party shall refrain from endorsing or promoting the endorsement of primary candidates for elective or appointed office prior to their official endorsement or nomination by the Party. Further, salaried officers and employees of the Party or of the Executive Committee shall support only candidates endorsed or nominated by the Party.

9. There shall be established an Administrative Committee composed of the duly elected officers of the State Executive Committee and the chairpersons of all Standing Committees. The Executive Director of the State Party shall be an ex-officio non-voting member of the Administrative Committee.

10. The Administrative Committee shall be empowered to act in behalf of the Executive Committee in all Party affairs, between meetings of the Executive Committee, subject to subsequent approval of the Executive Committee.

11. The Administrative Committee shall have the authority to hire and discharge staff, set salaries, authorize the expenditures of funds for the benefit of the Party where the State Executive Committee has previously approved a budget to support such expenditures, and it is authorized also to file the necessary registrations, certifications, and reports with the state and Federal governmental agencies as are necessary and authorize Party campaign committees pursuant to Federal Election laws.

12. The Administrative Committee shall meet on a quarterly basis and such other occasions as may be necessary. Members of the State Executive Committee shall be notified



of the time, date, and place of all Administrative Committee meetings and all of such meetings, whether regular or called, shall be open to all members of the State Executive Committee. The secretary of the Administrative Committee within ten (10) days of an Administrative Committee meeting shall distribute to all members of the State Executive Committee a summary of the minutes of such meeting.

#### ARTICLE VI: STANDING COMMITTEES

1. The Standing Committees of the State Executive Committee shall consist of not less than ten (10) members nor more than twenty (20) members on each Committee, and shall be chosen from among members of the State Executive Committee as follows:

(a) Elections Committee - the function of which is to keep abreast of all election laws, and to supervise the conduct of primary elections, the certification of candidates and election returns according to state and Federal law;

(b) Budget & Finance Committee - the functions of which are to recommend an annual budget for the operation of the State Party and to plan, develop and implement fundraising activities for the State Party. The treasurer of the Executive Committee shall be an ex-officio member of this Committee;

(c) Party Development & Organization Committee - the function of which is to develop and implement plans for the strengthening of Party organization at all levels;

(d) Education & Membership Committee - the function of which is to develop and implement plans for carrying out educational activities for citizens of Mississippi and Party members on the purpose, philosophy, and activities of the Democratic Party;

(e) Young Democrats Committee - the functions of which are to serve as liaison between the official Mississippi Young Democrats organization and the State Party organization and to assist in the development of Young Democrats organizations;

(f) Affirmative Action Committee - the function of which is to develop and implement an affirmative action plan for the Party as hereinafter provided;

(g) Campaign Committee - the functions of which are to serve as a liaison between duly certified Democratic candidates and the candidates' campaign organization, during general election campaigns and to assist in the election of Democratic candidates.

(h) Voter Registration Committee - the function of which is to effect an on-going process, as well as special, concerted efforts and drives, for registering as many potential Democratic voters as possible;

(i) Platform Committee - the functions of which are to provide a forum for discussing issues of importance to Mississippi Democrats, to bring the results of those discussions to the State Executive Committee, to develop the process by which a State Party platform shall be produced and published during each Presidential election year, and to help provide platform deliberations of the National Party with input from the State Party;

(j) Federation of Democratic Women Committee - the functions of which are to serve as a liaison between the official Mississippi Federation of Democratic Women and the State Party organization and to assist in the development of Democratic women Federations;

(k) Senior Democrats Committee - the function of which is to serve as a liaison between senior citizens and the Democratic Party and to develop an on-going process by which the State Party encourages the active participation of senior citizens in State Party activities.

2. The Chairperson of the State Executive Committee shall appoint members and chairpersons to the various standing committees subject to the ratification of the Executive Committee, provided, however, that each member of the State Executive Committee shall serve on at least one standing committee and no member of the State Executive Committee shall serve on more than two standing committees.

3. The Chairperson of the Executive Committee may name such other committees, their chairpersons and members as shall be deemed necessary, subject to ratification of the State Executive Committee.

4. The members of all committees shall serve until elections of new Executive Committee officers or until their successors are chosen.

ARTICLE VII: APPEALS COUNCIL

1. To ensure fairness and prevent injustice in the internal operations of any Mississippi Democratic Party organization there shall be established an Appeals Council of the State Democratic Executive Committee consisting of five members of the State Executive Committee other than Administrative Committee members to be appointed by the Chairperson with the approval of the Executive Committee, whose members shall serve for four years unless they resign beforehand.
2. The Appeals Council shall have jurisdiction over all matters of Party rules and the internal operations of the Democratic Party of the State of Mississippi at all levels, including the election of delegates or the operation of the various Executive Committees.
3. Any member of the Democratic Party of the State of Mississippi feeling aggrieved by the action, inaction or decision of any official Democratic Party of Mississippi unit or organization may appeal such action or decision to the Appeals Council.
4. No appeal shall lie before the Appeals Council which has not been first presented in writing to the organizational unit against which the complaint is made and there has been reasonable opportunity for said organizational unit to act.
5. All appeals to the Appeals Council shall be in writing setting out the names and addresses of the complaining parties and the name or identification of the unit against which the complaint is made, a clear and concise statement or explanation of the charge or complaint being made and the relief being sought. A copy of the initial complaint made before the unit complained about shall be attached to the appeal. The Appeals Council shall promptly notify in writing the unit complained of that the appeal has been taken and shall attach to such notification a copy of all papers mentioned in this section. The unit complained of shall have the right to answer in writing the charges made against it, and the Appeals Council shall take no action on said complaint until more than ten days after the serving of notice of said appeal on the unit complained of. The Appeals Council shall take no action against the unit complained of without first having a hearing unless said unit shall fail to answer in writing within the time aforementioned.
6. The Appeals Council shall be empowered to dismiss the appeal with or without a hearing. All decisions of the Appeals Council for the purpose of investigating or taking evidence on the charges presented shall be rendered only after the giving of reasonable notice to the parties. At least ten days prior to any such hearing the Committee shall furnish all parties with a written set of procedural rules for the conduct of the hearing, the failure of which to do so shall render void any and all actions of the Appeals Council until written procedural rules are furnished to all interested parties. The Appeals Council shall not take any action against the unit complained of without a hearing if such unit within ten days of being notified of the appeal shall request a hearing.
7. The Appeals Council may fashion whatever relief it deems appropriate including the removal of any member from office or ordering new elections at any level.
8. The decision of the Appeals Council shall be final unless appealed in writing to the full State Executive Committee within ten days of receipt of the Appeals Council decision. An appeal to the full State Executive Committee shall be perfected by mailing to the co-chairpersons and co-secretaries a copy of the appeal request, decision of the Appeals Council and appeal request filed with the Appeals Council, and the decision of the Appeals Council shall be held in abeyance until the State Executive Committee renders final judgment on said appeal.
9. The Administrative Committee shall designate the time and place for hearing the appeal and shall prescribe the procedure for the conduct of the review within sixty days after this document goes into effect.

ARTICLE VIII: OFFICERS

1. Executive Committee officers shall be elected by and serve at the pleasure of the respective Executive Committee at the first meeting of the new unit Executive Committee following the unit convention and shall serve a term of four years or until their successors are chosen, unless removed by a majority vote of the members of each unit.

2. The officers of the Executive Committee of each Party unit shall consist of a chairperson, vice-chairperson, secretary, treasurer, and parliamentarian. In addition, the State Executive Committee shall elect an executive vice-chairperson as hereinafter provided.

3. Chairperson - The duties of the Chairperson shall be those of Chief Executive Officer. The Chairperson shall convene and preside at all official Party meetings and shall have such other powers and duties as may be granted to him or her from time to time by resolution of the governing body.

4. Executive Vice Chairperson - The Executive Vice-Chairperson shall share with the Chairperson in the appointment of committee chairpersons and committee members and in the chairing of the Executive Committee, shall chair the meetings of the Administrative Committee, and shall have such other powers and duties as may be granted to him or her from time to time by the State Executive Committee. The Executive Vice-Chairperson shall be of the opposite race from the Chairperson.

5. Vice-Chairperson - The Vice-Chairperson shall in the absence of the Chairperson, convene and preside at all official Party meetings and shall assist the Chairperson in the management of the business and financial affairs of the Party. In addition, the Vice-Chairperson shall provide leadership in Party organization and shall be responsible for political education of the Party officers at all levels. The Vice-Chairperson shall have such other powers and duties as may be provided from time to time by resolution of the governing body. The Vice-Chairperson shall be of a different race and sex from the Chairperson.

6. Secretary - The Secretary shall be in charge of all the files and records of the Party and shall keep records of the minutes of the proceedings of meetings of all official units of the Party including Party conventions. All records shall be maintained at the office of the Party unit. The Secretary shall preserve such files except such as shall be in charge of the treasurer and shall open them for inspection at a convenient and appropriate time at the request of any official of the Democratic Party. A summary of the minutes of each regular or special meeting of the State Executive Committee shall be certified by the Secretary and mailed to each member of the State Executive Committee within ten days of such meeting.

7. Treasurer - The Treasurer shall have custody of the funds of the Party and shall render written accounts of the receipts and disbursements of the Party to each meeting of the official Party unit Executive Committee. The Treasurer shall deposit all monies and valuables received in the name of and to the credit of the Party in such insured banks and depositories as the Committee shall designate by appropriate resolution. Upon resolution by the Executive Committee of the appropriate unit, the Treasurer shall be under sufficient bond in an amount to be determined by the Party unit. Copies of the Treasurers' report shall be sent to all members of the Executive Committee of the appropriate Party unit as directed. The Treasurer shall write checks and expend money of the Party unit only as authorized by the budget or appropriate resolution and then only upon presentation of receipted bills, vouchers, or other appropriate written instruments and upon the countersignature of the Chairperson or other designated officer. The Treasurer shall be of a different race and sex from the Secretary.

8. Parliamentarian - The Parliamentarian shall advise the Chairperson on parliamentary procedure at all Party unit meetings and conventions and shall, when called upon, make parliamentary and procedural rulings as to the conduct of such meetings.

9. The Executive Committee in State Convention, before the election of officers for any full term, may, by majority vote, elect to establish the positions of chairpersons and vice chairpersons as co-officers without changing the functions of each office to serve a term of four years or until their successors are chosen.

10. This Article IX hereof shall not become effective until the Democratic Executive Committee elected in 1980 succeeds the now existing Democratic Executive Committee.

#### ARTICLE IX: FINANCES

1. An annual operating budget shall be approved by the Executive Committee at the beginning of each fiscal year, and no Party funds shall be expended for any purpose not provided for in said budget except with approval in advance of the Executive Committee.

2. No debts or financial obligations shall be incurred in the name of the Party by anyone except as authorized by the budget or appropriate resolution.

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3. An audit of all financial records and transactions of the Party unit shall be made at least annually and at such other times as may be required by the Executive Committee of the appropriate Party unit.

4. No fundraising activities shall be carried out in the name of the Party at any level without the prior approval of the Executive Committee of the appropriate Party unit. Before any Party fundraising activity is authorized, the Executive Committee shall appoint a person or persons to be in charge of the receipt and disbursement of monies in connection with such event, and to ensure a proper, full and accurate accounting of monies received and expended for such event. The person or persons in charge of the financial affairs of the said event shall keep complete and accurate records for inspection by any Executive Committee member and shall, within a reasonable time make a financial report to the Executive Committee on the said activity or event.

5. The Executive Committee of any Party unit may, by appropriate resolution, authorize the establishment of one or more campaign fund accounts for the purpose of receiving and disbursing funds for conducting general election campaigns, which accounts shall be separate and distinct from the regular Party accounts and budgets and other provisions of this article and shall be handled by a person or persons designated by the Executive Committee. Each such account shall include the special designation of "campaign funds" in its account name. The Party is authorized to receive and expend funds designated for such campaign purposes.

#### ARTICLE X: COUNTY EXECUTIVE COMMITTEE

1. The County Executive Committee shall consist of thirty Party members, six to be selected from each supervisor's district by the county convention delegates from each said supervisor's district acting separately. Within one year of its election, the County Executive Committee, in its discretion, may vote to expand the Committee by the election of six members to be elected from the county at large. The County Executive Committee shall be the governing body of the county Party unit between conventions.

2. County Executive Committees should meet at least twice each year and on such other occasions as may be necessary.

3. County Executive Committees shall certify Party candidates on the county level, shall conduct Party primaries, and shall canvass and certify election returns in accord with the election laws of the State of Mississippi.

4. Within ninety days after the adoption of this Constitution, County Executive Committees shall meet and adopt rules not in conflict with this Constitution. In the absence of the adoption of such rules, the rules adopted in this Constitution shall prevail. A copy of the rules and any revisions adopted by any County Executive Committee must be filed with the Secretary of the State Executive Committee and certified by the State Administrative Committee and approved by the State Executive Committee itself before becoming valid. The Secretary of the State Executive Committee shall maintain and make available for public inspection copies of the rules of each County Executive Committee on file in the State Party office.

5. Vacancies on a County Executive Committee may be declared for any of the reasons and in accordance with the provisions set forth in Article IV of this Constitution.

#### ARTICLE XI: MUNICIPAL EXECUTIVE COMMITTEE

1. Any Chairperson of a County Executive Committee desiring to select a Municipal Executive Committee for a municipality within a county which does not already have a municipal committee shall upon petition of five or more members of the Democratic Party residing in the municipality call a meeting of the Democratic electors residing in said municipality, and at such meeting the members present shall select an executive committee which shall serve until the next municipal primary election. Each Municipal Executive Committee shall have as many members as there are elective officers of the municipality.

2. The Municipal Executive Committee shall perform the same executive committee duties as are specified by law and this Constitution for other Party units. Each Municipal Executive Committee shall be elected in the primary elections held for the nomination of candidates for municipal office and shall be elected by the same election districts by which the elective officers of the municipality are elected. The names of all persons desiring to be a candidate for the nomination in the primary elections shall be furnished to the Municipal Executive Committee at least thirty days prior to the first



primary election. The officers shall revise and prepare the poll books and ballots, and the managers and other officials of the primary election committee shall be appointed by the Municipal Executive Committee and the returns of said election shall be made to such Municipal Executive Committee. Vacancies on the executive committee shall be filled by the Municipal Committee.

#### ARTICLE XII: DELEGATES

1. Delegates to the Democratic National Convention from Mississippi shall be elected in accordance with the applicable delegate selection process and rules of the National Democratic Party.

2. Seventy-five percent of the National Convention delegates and alternates shall be elected by delegates at the Congressional District conventions, each District acting separately. The remaining twenty-five percent shall be elected at large by the delegates at the State Party Convention in a manner and method to be designated by the State Executive Committee to help ensure balance between men, women, youth and minorities.

3. Delegate selection at any unit level will be in accordance with the rules of the National Democratic Party with regards to race and sex.

4. The unit rule shall not be used at any stage of the delegate selection process within any Party unit or delegation.

5. No person participating in any unit or Party affairs shall be required to cast a vote or be recorded as voting contrary to that person's expressed preference or best judgment.

6. At least ninety days before the convening of precinct caucuses, the State Executive Committee shall adopt and make readily accessible rules and procedures covering all aspects of the delegate selection process including, but not limited to, the apportionment of delegates and votes within the State, the allocation of fractional votes, and nomination of delegates and alternates, the succession of alternates to delegate status and the filling of vacancies in delegate positions, the selection and responsibilities of convention committees, credentials challenges, and minority reports. The Affirmative Action Committee shall be empowered to draft and propose to the Executive Committee for ratification by the Executive Committee a delegate selection plan in conformity with the rules and policies of the National Democratic Party and the affirmative action goals of this Party.

7. The slate of delegates to the National Party Convention shall choose a chairperson and vice-chairperson of said delegation, who shall perform all the duties customarily required of said officials under the usual rules of parliamentary procedure.

8. Nothing in this Constitution shall be construed as calling for or prohibiting the State Executive Committee at its option under State law from electing to conduct a Presidential Primary and formulating rules and regulations for conducting such a primary.

#### ARTICLE XIII: CERTIFICATION OF CANDIDATES

1. The Executive Committee, or any specially designated subcommittee thereof, shall be empowered to certify candidates for primary elections, to certify primary election returns, and to hear and decide election disputes.

2. No candidate shall be certified to run in a Democratic Primary for any office:

(a) who has not met the statutory qualifications to run for such office;

(b) who is not in accord with the principles and rules of the Democratic Party of Mississippi as set forth in the Constitution and bylaws and the standards or principles of the Party; and

(c) who will not pledge to support the candidacy of all Party nominees at all levels running in the same general election for which nomination is being sought.

3. No candidate, while holding elective office as a Democrat or as a Democratic Party official, shall be certified to run in a Democratic Primary for any office:

(a) who has participated in a primary of any other political party within the last twelve months by either voting or running for office in such primary; or

(b) who has within the preceding four years publicly or financially supported the election to office of any person not running as a Democrat. 10

4. This amendment shall become effective November 9, 1983.

ARTICLE XIV: AFFIRMATIVE ACTION

1. In order to implement the affirmative action goals of this Party, the Chairperson of the State Executive Committee shall appoint an Affirmative Action Committee whose terms shall run until the election of a new State Executive Committee or their successors are chosen, whichever is later.

2. The duties of the Affirmative Action Committee shall include, but not be limited to, the development of an Affirmative Action Plan subject to ratification and approval of the State Executive Committee and National Party; the implementation of the specific requirements of the plan; publicizing and disseminating timely information about the plan and the delegate selection process; conducting investigations and hearings into alleged violations of the plan at any level of Party affairs or activities; and monitoring the affirmative action efforts of the Party at all levels.

3. The Affirmative Action Committee provided for by Article XIV hereof shall not be appointed until after the organization in 1980 of the State Democratic Executive Committee, which shall succeed the existing State Democratic Executive Committee; and until that time the existing thirty member Affirmative Action Committee shall serve as such Committee.

ARTICLE XV: PARLIAMENTARY PROCEDURE

1. The most recent edition of Roberts Rules of Order shall govern all conventions and meetings of any unit of the Democratic Party of Mississippi.

ARTICLE XVI: BYLAWS

1. Bylaws concerning matters not expressly governed by nor in conflict with this Constitution may be adopted by majority vote of the State Executive Committee members present and voting.

ARTICLE XVII: AMENDMENTS

1. This Constitution may be amended by majority vote of the delegates assembled at any State Convention or by two-thirds vote of the State Executive Committee at any Executive Committee meeting specially called for such purpose, with the proposed amendments submitted in writing to each Executive Committee member at least thirty days prior to said meeting.

ARTICLE XVIII: SEVERABILITY

1. If any provision or clause of this Constitution or application thereof is held invalid, such invalidity shall not affect other provisions or applications of this Constitution which can be given effect without the invalid provision or application; and to this end the provisions of this Constitution are declared to be severable.

ARTICLE XIX: EFFECTIVE DATE

1. This Constitution shall become effective from and after adoption thereof by a majority vote of the State Executive Committee members present and voting at a specially called meeting.