

1 **RULES OF THE DEMOCRATIC PARTY**  
2 **OF THE STATE OF MONTANA**

3 Revised August 14th, 2015  
4

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1 **RULES OF THE DEMOCRATIC PARTY**  
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5 **PREAMBLE**  
6

7 **SECTION A: MISSION, TAX STATUS & LOCATION**

8 1. **Mission:** The Montana Democratic Party recruits, trains and elects Democrats to local,  
9 statewide and federal office to ensure a government of the people, by the people, and for the  
10 people of Montana.

11 2. **Tax Status:** The Montana Democratic Party is a 527 Political Non-Profit in the State of  
12 Montana. The Montana Democratic Party adheres and follows all rules and regulations of the  
13 State of Montana and the United States Federal Government.

14 3. **Location:** The headquarters of the Montana Democratic Party is located at 303 North Ewing  
15 Street, Helena, MT. The location of this entity is determined by the Executive Board. Additional  
16 office locations may be determined by the Executive Director.  
17

18 **SECTION B: STRUCTURE OF THE ORGANIZATION**

19 1. All public meetings at all levels of the Democratic Party are open to all members of the  
20 Democratic Party of Montana regardless of race, color, creed, sex, age, national origin, religion,  
21 ethnic identity, economic status, sexual orientation, gender identity, or philosophical persuasion.  
22 Members of the Democratic Party are defined as any individuals who are supportive of the  
23 Democratic Party's mission and values, without test of membership or oath, and are in good  
24 standing with the organization. All members of the Democratic Party of Montana shall be  
25 encouraged to participate in party affairs.

26 2. The time and place for all meetings of the Democratic Party of Montana on all levels shall be  
27 publicized fully and in such manner as to assure timely notice to all interested persons. Such  
28 meetings shall be held in places accessible to all Party members and large enough to  
29 accommodate all interested persons. Specific notice requirements and timelines are listed  
30 throughout the document under their appropriate headings.

1 3. The Democratic Party of Montana shall publicize a complete description of the qualifications  
2 for and the procedures to elect all officers of the Montana State Democratic Party. Such  
3 publication should be done in a timely fashion so that all prospective candidates or applicants for  
4 any elected or appointed position will have full and adequate opportunity to compete for office.

5 4. The Montana State Central Committee and every county central committee are encouraged to  
6 conduct outreach to expand membership, register new voters and engage in other field activities  
7 that advance the mission of the Democratic Party.

8 5. Use of the term “Executive Board district” in these rules, including Montana's Presidential  
9 Delegate Selection Plan, means the allocation of Montana's counties in the following manner:

10 **Western District:** Beaverhead, Broadwater, Deer Lodge, Flathead, Glacier, Granite,  
11 Jefferson, Lake, Lewis & Clark, Lincoln, Madison, Mineral, Missoula, Pondera, Powell,  
12 Ravalli, Sanders and Silver Bow Counties

13 **Eastern District:** Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels,  
14 Dawson, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Judith Basin, Liberty, McCone,  
15 Meagher, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt,  
16 Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux  
17 and Yellowstone Counties

18 **RULE 1 MINORITY INCLUSIVITY**

19  
20 1. It shall be the duty of all delegate selection conventions and all Party officers at every level, to  
21 encourage persons from all income levels, young people, women, persons of minority races or  
22 ethnicities, senior citizens, LGBT persons, and other under-represented and minority groups to  
23 participate in and seek selection as delegates to Party conventions and as members of Party  
24 committees.

25 2. The Montana Democratic State Central Committee shall adopt an affirmative action plan to  
26 ensure equal participation in Party affairs, including delegate selection, in keeping with State  
27 Party rules and rules adopted by the Democratic National Committee. When adopted, such plan  
28 is fully enforceable as a rule of the Montana Democratic Party.

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31 **RULE 2 CITY-COUNTY CENTRAL COMMITTEES**

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**SECTION A: STRUCTURE & TERMS OF A CITY-COUNTY CENTRAL COMMITTEE**

- 1. The city, county, and Montana State Democratic Central Committees shall be organized as provided in the laws of Montana and in these rules.
- 2. In each county of the state there is a Democratic county central committee which consists of the duly elected or appointed precinct committeemen and committeewomen of each precinct.
- 3. Precinct committeemen and committeewomen hold such position for terms of two years from the date of their election or in the case of appointment, until the next regularly scheduled election.
- 4. Those committeemen and committeewomen who reside within the limits of any incorporated city or town shall constitute ex-officio the city central committee and shall have the same power and jurisdiction as to the Democratic Party in such city affairs as the county central committee has in county matters, except to fill vacancies as provided in Rules 7, 13, 14, 15 and 16.

**SECTION B: COUNTY CENTRAL COMMITTEE CONVENTIONS & ELECTIONS**

- 1. The county central committee shall meet in county convention between April 15 and May 31 of each odd-numbered year and elect the following officers:
  - a) a county chair and vice chair, one of whom shall be a woman, and one of whom shall be a man;
  - b) a state committeeman and a state committeewoman;
  - c) four state central committee alternates, two of whom shall be women and two of whom shall be men. These officers serve as alternates to the chair or vice chair, or state committeeman or woman. State central committee alternates shall replace members of the same sex whenever possible. The county convention shall designate first and second alternates;
  - d) a secretary and a treasurer.
- 2. Only precinct committeemen, precinct committeewomen, and current county central committee officers may vote for officers at the county convention. Officers are not required to be precinct committeemen or precinct committeewomen. The officers elected by the county convention shall constitute the executive committee of the county central committee and are

1 charged with the execution of the county party's policies and programs between meetings of the  
2 full committee. They shall be entitled to full voting privileges at all other meetings of the county  
3 central committee.

4 3. Appointed precinct committeemen and committeewomen shall have the same rights,  
5 privileges, duties and responsibilities as elected precinct committeemen and committeewomen.  
6

### 7 **SECTION C: DCCC VOTING RIGHTS**

8 1. The county central committee may not adopt any rules or regulations that conflict with the  
9 laws of Montana, the rules of the Montana Democratic Party or the rules of the national  
10 Democratic Party.  
11

### 12 **RULE 3 PARTNER ORGANIZATIONS**

13 1. The Montana Democratic Party seeks to engage partner organizations that share our  
14 Democratic Values.

15 2. Partner organizations must receive a 2/3 vote by the Executive Board of the Montana  
16 Democratic Party to recognize as a partner.

17 3. The Montana Democratic Party may rescind partner relationship with a 2/3 vote of the  
18 Executive Board at any time.

19 4. Partner organizations will be granted one voting member at the Officers Convention and five  
20 voting members from each Executive Board District at the Platform Convention.  
21

### 22 **RULE 4 STATE CENTRAL COMMITTEE**

#### 24 **SECTION A: MEMBERS OF THE STATE CENTRAL COMMITTEE**

25 1. The Montana Democratic State Central Committee consists of:

- 26 a) all voting members of the State Party Executive Board, as defined in Rule 6;
- 27 b) the county chair and vice chair of each county, or, in their absence, the state central  
28 committee alternates;
- 29 c) the state committeeman and state committeewoman from each county, or, in their  
30 absence, the state central committee alternates;

1 d) the president (or, if absent, the vice president) of any partner organization of the  
2 Montana Democratic Party; and  
3 e) Democrats holding the positions of Lieutenant Governor, Clerk of the Supreme Court  
4 or Public Service Commissioner.  
5

## 6 **SECTION B: OFFICERS OF THE STATE CENTRAL COMMITTEE**

7 1. The officers of the Montana Democratic State Central Committee are the State Chair, Vice  
8 Chair, National Committee Members, Secretary, Treasurer and Executive Director.

9 2. The election procedures for officers of the Montana Democratic State Central Committee are  
10 provided in Rule 8. The selection process for an Executive Director is provided in Rule 5.

11 3. It is the duty of all officers to support the platform adopted at the Platform Convention and the  
12 Democratic Party nominees who support the Democratic platform. The specific duties of the  
13 Party's officers include:

14 a) **State Chair:** The State Chair shall

- 15 • issue calls for and preside at all meetings and conventions of the State Central  
16 Committee and the Executive Board;
- 17 • act as a resource for Democratic Party members, organizations, political  
18 candidates and campaigns;
- 19 • raise funds for the State Democratic Party;
- 20 • serve as a spokesperson on issues with the advice of the Executive Board;
- 21 • work with the Treasurer and Executive Director to oversee all Board-level  
22 finances;
- 23 • ensure decisions of the Executive Board are completed;
- 24 • appoint committees on finance, rules, and personnel;
- 25 • appoint other committees as needed; and
- 26 • perform such other duties as the Executive Board may assign.
- 27 • The State Chair shall be paid a monthly stipend in recognition of the time and  
28 effort required to fulfill the responsibilities of the position. This stipend will be  
29 set and approved by the State Executive Board.

30 b) **State Vice Chair:** The State Vice Chair shall

- 1 • preside at meetings in the absence of the State Chair, or where action by the Chair
- 2 would constitute a conflict of interest;
- 3 • assist the chair in undertaking the responsibilities of the Chair;
- 4 • assist the Chair and Executive Director in raising funds for the State Democratic
- 5 Party; and
- 6 • perform such other duties as the Executive Board may assign.

7 c) **Secretary:** The Secretary shall

- 8 • take, distribute and maintain minutes of meetings of the Executive Board;
- 9 • work with the Executive Director and Chair to prepare agendas for Executive
- 10 Board meetings;
- 11 • work with the Executive Director and Chair to ensure proper notice be made
- 12 available in compliance with these rules; and
- 13 • perform such other duties as the Executive Board may assign.

14 d) **Treasurer:** The Treasurer shall

- 15 • ensure the Executive Board is meeting fiduciary responsibilities;
- 16 • be responsible for accurate reporting required by federal and state governments;
- 17 • serve as Chair of the Finance Committee; and
- 18 • perform such other duties as the Executive Board may assign.

19  
20 **SECTION C: STRUCTURE, TERMS & NOTICE**

21 1. The Montana Democratic State Central Committee is the permanent party authority in the  
22 State of Montana. The committee is authorized to adopt and promulgate all necessary rules for  
23 the conduct of party affairs, including a Presidential Delegate Selection Plan.

24 2. Meetings of the Montana Democratic State Central Committee may be called by the Chair, the  
25 Executive Board, or 20% of the State Central Committee. Members of the State Central  
26 Committee shall be notified at least 10 days prior to State Central Committee meetings.

27 3. At any meeting of the Montana Democratic State Central Committee, 20% shall constitute a  
28 quorum.

29  
30 **RULE 5 EXECUTIVE DIRECTOR**

1    **SECTION A: HIRING & TERMS OF EMPLOYMENT**

2    1. The Executive Board shall, in its sole discretion, employ an executive director at such rate of  
3    compensation as it shall determine necessary.

4    2. The contract of employment shall be in writing, shall embody all of the terms and conditions  
5    of employment, and shall be approved by the Personnel Committee and ratified by the Executive  
6    Board.

7           a) **Selection Process:** An opening in the position of the Executive Director shall be  
8           advertised by the State Chair. Applicants shall be considered by the Personnel  
9           Committee. The Personnel Committee shall submit a list of approved candidates to the  
10          Executive Board, in priority order. The Executive Board shall approve or disapprove the  
11          nomination with a majority vote. If the Executive Board approves the nomination, the  
12          nominated person shall be offered the position of Executive Director.

13          b) **Dismissal Process:** An executive director who has been appointed and ratified may be  
14          dismissed by a 2/3 vote of the total membership of the State Executive Board at a special  
15          meeting called on 15 days written notice. The notice shall contain the charges proffered  
16          and be signed by the Chair and not less than 25 percent of the members of the Executive  
17          Board. Prior to the vote, the accused shall be given a full hearing and the opportunity to  
18          face any accusers.

19

20    **SECTION B: EX-OFFICIO EXECUTIVE BOARD MEMBER**

21    1. The Executive Director shall serve as a non-voting, ex-officio member of the State Central  
22    Committee and Executive Board; however, she or he is not authorized to be present in any  
23    executive session without specific approval of the body.

24

25    **SECTION C: OPERATIONS, FINANCES & MANAGER OF STAFF**

26    1. The Executive Director shall provide overall managerial direction and leadership to the staff  
27    of the Montana Democratic Party and shall be responsible for the day-to-day administrative  
28    operations of the corporation.

29    2. The Executive Director shall obtain or provide expertise as is necessary to collect monies and  
30    keep accurate books of account to fulfill legal and political requirements, work with the



1 Treasurer, Finance Committee and Chair to submit quarterly financial reports to the Executive  
2 Board, and inform the Executive Board of the state of the organization's financial health.  
3 3. The Executive Director will comply with all adopted financial controls and policies per the  
4 Executive Board.

5

6 **SECTION D: AUTHORITY & ACCOUNTABILITY**

7 1. The Executive Director shall be accountable and report to the Executive Board and shall  
8 assume such responsibilities and perform such duties as may be assigned by the Chair or the  
9 Executive Board, but not by individual members of the Board.

10 2) The Executive Director may hire additional staff as necessary to achieve the goals of the  
11 organization. The Executive Director shall have power to hire, oversee, and fire additional staff  
12 within policies outlined by the Executive Board.

13 3) The Executive Board shall create a Personnel Committee responsible for providing guidance  
14 and oversight in staff policy and staff grievances.

15

16 **RULE 6 EXECUTIVE BOARD**

17

18 **SECTION A: ROLE OF THE EXECUTIVE BOARD**

19 1. The policies and programs of the Montana Democratic State Central Committee will be  
20 directed and conducted by the Executive Board according to these rules and the Montana  
21 Democratic State Central Committee.

22

23 **SECTION B: MEETINGS & NOTICE**

24 1. The Executive Board shall hold regular meetings at least four times a year. Meetings may be  
25 called by the State Chair or by any five members of the Executive Board.

26 2. Members of the Executive Board shall be notified at least 10 days prior to Executive Board  
27 meetings.

28 3. A quorum shall consist of six members of the Board.

29

30 **SECTION C: MEMBERS OF THE EXECUTIVE BOARD**

31 1. Members of the Executive Board are:

- 1 a) the State Chair and State Vice Chair;
- 2 b) the immediate past State Chair and immediate past State Vice Chair (a person holds  
3 one of these offices if he or she (1) is the person who most recently served as State Chair  
4 or Vice Chair in the preceding two years, and (2) does not hold another office entitled to  
5 vote, has not been removed from office pursuant to Rules 6 or 7, and did not resign the  
6 office of State Chair or Vice Chair);
- 7 c) the Treasurer and Secretary;
- 8 d) the National Committee Members;
- 9 e) four district chairs, consisting of one male and one female county central committee  
10 chair or vice chair from each Executive Board district;
- 11 f) eight district members, consisting of two men and two women from each Executive  
12 Board district;
- 13 g) Democratic legislators holding the positions of Speaker of the House, President of the  
14 Senate, and Majority Leader of the House and Senate; or the Minority Leader and Whip  
15 of the House and Senate;
- 16 h) Democrats holding the offices of Governor, Secretary of State, Attorney General, State  
17 Auditor and Superintendent of Public Instruction; and
- 18 i) The Montana Democratic members of the United States Senate and United States  
19 Congress.
- 20 j) The officials enumerated in (h) and (i) may designate a representative to act in their  
21 absence.
- 22 k) In addition, the Executive Director shall be a non-voting, ex-officio member of the  
23 Executive Board.
- 24

#### 25 **SECTION D: COMMITTEES**

- 26 1. The three standing committees of the Executive Board are Finance, Personnel, and Rules.
- 27 a) **Finance Committee:** The Treasurer of the State Central Committee shall serve as the  
28 Chair of the Finance Committee. The State Chair shall appoint other members to the  
29 committee.
- 30 b) **Personnel Committee:** The State Chair shall serve as the Chair of the Personnel  
31 Committee. She or he shall appoint six additional Executive Board members to the

1 Personnel Committee, three of which must be Democratic incumbents holding state or  
2 federal elective offices (or their designated representatives).

3 c) **Rules Committee:** The State Chair shall appoint a Rules Committee.

4 2. The State Chair shall appoint ad hoc committees as needed.  
5

## 6 **SECTION E: REMOVAL FOR ABSENCE**

7 1. Any executive committee member who fails to attend any three successive meetings of the  
8 Executive Board, after proper notice being given of those meetings, shall be dropped from  
9 membership on the Executive Board, unless a satisfactory excuse is provided and accepted by a  
10 majority vote of the Executive Board.

11 2. This does not apply to members listed in Rule 6, Section C, #1(g), (h), (i), or (j).  
12

## 13 **RULE 7 VACANCIES & REMOVAL OF OFFICERS**

### 14 **SECTION A: VACANCIES**

15 1. A vacancy exists whenever a precinct committeeman or woman, officer or member dies,  
16 resigns, becomes permanently incapacitated or fails to maintain the qualifications of the office. A  
17 vacancy also exists whenever the State Chair, State Vice Chair, or any permanent, paid employee  
18 of the Montana Democratic Party becomes a candidate for or holds any state or national office,  
19 excluding the office of state legislator.  
20

21 2. Unless specified otherwise in this rule, or in law, vacancies on any committee or board shall  
22 be filled by election by members of such committee.

23 3. Vacant positions shall be filled as follows:

24 a) **Precinct Committeemen and Committeewomen:** Remaining members of the county  
25 central committee shall elect a precinct resident to fill the vacancy.

26 b) **Officers of City or County Central Committees:** Vacant seats for officers not filled  
27 by an appropriate alternate already provided in these rules shall be filled by a person  
28 having the necessary qualifications for the vacant seat and shall be elected by the county  
29 central committee, except as provided in Rule 7, Section A, #3(e).

30 c) **Executive Board Members:** If the State Chair position becomes vacant, the State  
31 Vice Chair shall become Chair. Vacancies in the positions of State Vice Chair or board

1 members, including National Committee Members, shall be filled by a vote of the  
2 Executive Board, subject to the notice requirements in Rule 6, Section B, #2.  
3 Nominations must be made by Board members, and candidates for vacancies must meet  
4 the same qualifications as the person formerly occupying the position. Election shall be  
5 by majority vote of the board members present and voting.

6 d) **Immediate Past State Chair & Vice Chair:** Vacancies in the position of immediate  
7 past State Chair and immediate past State Vice Chair shall not be filled.

8 e) **No Established Central Committee:** If there are no elected or appointed precinct  
9 committee persons serving in a county, the State Chair shall appoint, with the approval of  
10 a majority of the Executive Board, county central committee officers to form a new  
11 committee. The appointed officers, who must be residents of the county, may then fill  
12 vacant precinct positions as provided in Rule 7, Section A, #3(a). The appointed officers  
13 shall serve until the next county convention.

## 14 15 **SECTION B: REMOVAL**

16 1. Members of the Executive Board, except the National Committeeman and Committeewoman,  
17 may be removed from office for cause by a 2/3 vote of the Executive Board at a special meeting  
18 called on 15 days written notice. The notice shall contain the charges proffered and be signed by  
19 no less than 25% of the members of the Executive Board. Prior to the vote, the accused shall be  
20 given a full hearing and the opportunity to face any accusers.

21 2. City or county central committee officers may be removed from office according to rules  
22 established by each county central committee, or in the absence of county rules, by a 2/3 vote of  
23 the total membership of the committee.

## 24 25 **RULE 8 CONVENTIONS**

### 26 27 **SECTION A: STATE PLATFORM CONVENTION**

28 1. **Date:** The State Chair shall call the Platform Convention after the primary election and no  
29 later than September 15 in even-numbered years to formulate the state platform of the  
30 Democratic Party and perform such other business as may properly be brought before such a  
31 meeting.

1 **2. Delegates:**

2 a) Delegates to the State Platform Convention shall include the Montana Democratic  
3 State Central Committee, the Democratic nominees for all state elective offices, the  
4 United States Senate, the United States House of Representatives, and both Democratic  
5 incumbents and nominees for the Montana Legislature.

6 b) Partner organizations of the Montana Democratic Party are also entitled to five  
7 delegates from each Executive Board district. Each partner organization shall nominate  
8 delegates to be elected at the Platform Convention. Prior to the Platform Convention,  
9 partner organizations shall present any nominations to the State Executive Board for  
10 verification that such nominations were properly made under the rules of the respective  
11 chartered organization.

12 c) Persons serving as delegates may hold only one delegate position. Persons eligible to  
13 hold more than one delegate position must designate the position for which they desire to  
14 serve as a delegate. Vacant positions may be filled by an eligible alternate.

15 **3. Quorum:** At the State Platform Convention, 40% of the delegates eligible to attend and vote  
16 shall constitute a quorum.

17  
18 **SECTION B: STATE OFFICERS CONVENTION**

19 **1. Date:** The State Chair shall call the State Officers Convention between July 1 and October 31  
20 of each odd numbered year to elect a Chair, Vice Chair, Treasurer, and Secretary of the State  
21 Central Committee and members of the Executive Board.

22 **2. Delegates:** Delegates to the State Officers Convention shall include all members of the  
23 Montana Democratic State Central Committee and Democratic incumbents of the Montana  
24 Legislature.

25 **3. Quorum:** At the State Officer Convention, 40% of the delegates eligible to attend and vote  
26 shall constitute a quorum.

27 **4. Terms of State Officers:** Officers and Executive Board members shall hold office for a term  
28 of two years or until a successor is elected.

29  
30 **SECTION C: NATIONAL COMMITTEE MEMBERS ELECTIONS**

31 **1. Election Procedure:**

1 a) At each state convention to elect delegates to a national Presidential Nomination  
2 Convention, a number of National Committeemen and National Committeewomen, as  
3 determined by the Democratic National Committee, shall be elected.

4 b) The persons eligible to vote for these officers and the manner of their election, shall be  
5 as provided in Rule 8, Section B.

6 c) The State Chair shall file the names of the National Committeemen and National  
7 Committeewomen with the Democratic National Committee no later than five days from  
8 the date of their selection.

9 **2. Terms of National Committee Members:** The National Committeeman and National  
10 Committeewoman shall serve four-year terms commencing on the day the national convention  
11 adjourns and terminating on the day the next national convention adjourns.

## 12 13 **SECTION D: CONVENTION RULES**

14 1. **Registration:** For both the Platform Convention and the Officers Convention, delegates must  
15 register according to procedures established by the State Chair.

16 2. **Rules:** All matters pertaining to any state convention not provided for by law or these rules  
17 shall be governed by rules adopted by such conventions.

## 18 19 **RULE 9 PROXIES**

20  
21 1. No proxy vote will be recognized at any county, city, district, or state Democratic meeting.  
22

## 23 **RULE 10 PRE-PRIMARY & CANDIDATE ENDORSEMENT POLICY**

24  
25 1. During a statewide or federal election campaign, the Montana State Democratic Party shall  
26 expend no funds and provide no tactical support for any candidate except that the Executive  
27 Board may by 2/3 vote authorize the expenditure of funds and tactical support for proven  
28 incumbents who have consistently demonstrated support of the Party platform and issues for  
29 incumbents who are running unopposed.

1 2. Absent Executive Board support of a proven statewide or federal incumbent, the State Chair,  
2 Vice Chair, Executive Director and paid party staff shall maintain neutrality throughout any  
3 contested primary.

4 3. The Executive Board may expend Party funds during a primary campaign for the  
5 entertainment of visiting dignitaries from outside the state who may have been invited to appear  
6 in the state at the request of the State Central Committee or the Executive Board.

7 4. The State Chair, Vice Chair, Executive Director and paid staff of the Montana Democratic  
8 Party shall resign these positions if they file to run for elective office in a contested primary.

9  
10 **RULE 11 RULES OF ORDER**

11  
12 1. "Roberts Rules of Order, Newly Revised (RONR)," shall govern the proceedings of all  
13 meetings existing under these rules, except as provided in Rule 8, Section D, #2, for all meetings  
14 convening after September 2011.

15  
16 **RULE 12 AMENDMENTS TO THE RULES**

17  
18 1. **Voting:** These rules may be amended at any meeting of the Montana Democratic State Central  
19 Committee by a 2/3 vote of those present.

20 2. **Notice:** Fifteen days written notice of the proposed change shall be given to Montana  
21 Democratic State Central Committee members. Notices may be delivered by email.

22 3. **Quorum:** At any meeting of the Montana Democratic State Central Committee, 20% shall  
23 constitute a quorum.

24  
25 **RULE 13 PROCEDURES FOR FILLING A VACANCY FOR A DEMOCRATIC**  
26 **CANDIDATE FOR AN OFFICE WITHIN ONE COUNTY**

27  
28 1. Vacancies occurring among Democratic candidates that by law are to be filled by action of the  
29 county central committee shall be filled according to the provisions of this rule insofar as they do  
30 not conflict with state law.

1 2. Appointment of a person to fill the vacancy shall be by a majority vote of the precinct  
2 committeemen and committeewomen present at a meeting called for that purpose and publicized  
3 throughout the county. The county chair shall provide reasonable written or email notice to  
4 committee members unless the deadline for filling the vacancy as determined by the election  
5 administrator precludes such notice, in which case notification by telephone shall be required.

6 3. At the meeting, nominations of persons qualified to fill the vacancy may be made by precinct  
7 committeemen or committeewomen. Following the close of nominations, an election shall be  
8 held with each precinct committeeman and committeewoman voting for one person. (If more  
9 than one vacancy is to be filled at the meeting, separate votes shall be taken for each vacancy.)  
10 The person receiving a majority of the votes cast shall be reported by the county chair to the  
11 election administrator as the party nominee. If no person receives a majority of the votes cast on  
12 the first ballot, the name of the person receiving the fewest votes shall be stricken from  
13 subsequent ballots until one person receives a majority of the votes cast.

14  
15 **RULE 14 SPECIAL NOMINATING CONVENTION TO FILL A VACANCY FOR A**  
16 **CANDIDATE FOR A MULTI-COUNTY OFFICE**

17  
18 1. In the event the Democratic Party shall have to nominate a candidate for a multi-county  
19 district office, the procedures for such nomination shall be as provided in this rule.

20 2. The State Chair shall call a nominating convention. The State Chair or his or her designee  
21 shall preside. The convention shall choose a secretary and may adopt rules for nominating  
22 speeches, candidate presentations and other procedural matters.

23 3. The precinct committeemen and committeewomen from precincts within the district shall be  
24 delegates to the nominating convention.

25 4. The State Chair shall issue a convention call to the county chair of each county within the  
26 district. The call shall be issued so as to provide reasonable notice to the delegates. The call shall  
27 include at least the following:

- 28 a) the time, date and place of the nominating convention;  
29 b) a list of the counties and precincts within the district;  
30 c) the procedures for certifying the identity of precinct committeemen and  
31 committeewomen eligible to participate; and



1 d) the qualifications required of the person to be nominated at the convention.

2 5. Any delegate may nominate any Democrat meeting the qualifications provided by law for the  
3 vacancy being filled.

4 6. The delegates shall cast ballots using weighted votes. Each delegate shall cast a weighted vote  
5 equal to one-half the votes cast in his or her precinct for the Democratic candidate for U.S.  
6 Representative in the most recent general election.

7 7. The person receiving a majority of the total votes cast shall be declared the Party's nominee. If  
8 no person receives a majority of the votes cast on the first ballot, the name of the person  
9 receiving the fewest votes shall be stricken from subsequent ballots until one person receives a  
10 majority of the votes cast.

11  
12 **RULE 15 SPECIAL NOMINATING CONVENTION TO FILL A VACANCY FOR A**  
13 **CANDIDATE FOR A STATEWIDE OFFICE**

14  
15 1. In the event the Democratic Party shall have to nominate a candidate for statewide office, the  
16 procedures for such nomination shall be as provided in this rule.

17 2. The State Chair shall call a meeting of the Montana Democratic State Central Committee.  
18 Reasonable written notice of the meeting shall be issued unless deadlines imposed by the  
19 Secretary of State, the laws of Montana, or other authority shall necessitate shorter notice by  
20 telephone. The notice of the meeting shall include:

21 a) a statement that the purpose of the meeting is to fill a vacancy for the Democratic  
22 Party's candidate for statewide office, and naming the office;

23 b) the date, time and place of the meeting;

24 c) the procedures by which the nominee will be chosen at the meeting;

25 d) the procedures for certifying the election of State Central Committee members not  
26 already on record with the State Chair; and

27 e) the qualifications required of the person to be nominated at the meeting.

28 3. Only members of the Montana Democratic State Central Committee shall be entitled to  
29 participate in the meeting, except that the State Central Committee may adopt rules allowing  
30 nominating speeches by other persons and may agree to hear presentations by candidates for the  
31 nomination. Following the close of nominations, the members of the Montana Democratic State

1 Central Committee shall vote. The person receiving a majority of the votes cast shall be declared  
2 the Party's nominee. If no person receives a majority of the votes cast on the first ballot, the  
3 name of the person receiving the fewest votes shall be stricken from subsequent ballots until one  
4 person receives a majority of the votes cast.

5 4. The State Chair and Secretary shall sign a certificate of nomination naming the person selected  
6 and shall deliver the original to the Secretary of State.

7 **RULE 16 SUBMISSION OF RECOMMENDATIONS FOR FILLING A VACANCY IN**  
8 **THE LEGISLATURE OR IN A BOARD OF COUNTY COMMISSIONERS**

9  
10 1. In the event the Democratic Party shall have to recommend to county commissioners a list of  
11 candidates to fill a vacancy in the legislature, or in the office of county commissioner, as  
12 provided by law, the procedures for compiling such list (and a second list, if needed) shall be as  
13 provided in this rule.

14 2. Vacancy in a district entirely within one county.

15 a) following any necessary consultation with the county commissioners, the county chair  
16 shall call a meeting of the county central committee, providing reasonable written or  
17 email notice, or notifying members by telephone if four days written notice cannot be  
18 afforded.

19 b) at the meeting, precinct committeemen and committeewomen shall nominate a  
20 minimum of three persons qualified to serve in the vacant office. Following the close of  
21 nominations, each committeeman and committeewoman shall cast a ballot, voting for no  
22 more than three candidates and not more than once for any one candidate The names of  
23 the three persons receiving the most votes shall be certified to the appropriate body by the  
24 county chair as the recommended candidates of the Democratic Party.

25 3. Vacancy in a district comprising of two or more counties.

26 a) following any necessary consultation with the county commissioners, the State Chair  
27 shall call a nominating convention in a convenient location in one of the counties  
28 comprising the district.

29 b) reasonable written or email notice of the meeting shall be provided to all delegates;  
30 notice by telephone will be required unless at least four days written notice can be  
31 provided.

1 c) precinct committeemen and committeewomen from precincts within the district shall  
2 be delegates to the joint meeting. The State Chair or his or her designee shall preside at  
3 the joint meeting.

4 d) delegates shall nominate a minimum of three persons qualified to serve in the vacant  
5 office.

6 e) each delegate shall cast a ballot, voting for no more than three candidates and not  
7 voting more than once for each candidate. The weight of each delegate's vote shall be  
8 equal to one-half the votes received in that precinct at the last election by the person  
9 vacating the office. (The State Chair shall have final authority to assign weighted votes in  
10 instances where precinct lines, or district lines may have changed since the election, or  
11 other circumstances dictate.) Ballots marked with the proper weighted votes shall be  
12 distributed by the presiding officer through a roll call of the counties and their precincts.

13 f) the names of the three persons receiving the most votes shall be certified to the county  
14 commissioners by the State Chair as the recommended candidates of the Democratic  
15 Party.

## 16 17 **RULE 17 APPEALS**

18  
19 1. In all cases where application of these rules is contested, the aggrieved party must file a  
20 timely, written protest with the State Chair, Vice Chair, and Executive Director.

21 2. The State Chair will call on the state Rules Committee to investigate and resolve the conflict.  
22 The Rules Committee's decision is final, unless overruled by a 2/3 vote of the Executive Board.

23  
24 These Rules become effective upon filing with the Office of the Secretary of State, pursuant to  
25 Mont. Code Ann. § 13-38-105