
THE BYLAWS
OF THE DEMOCRATIC PARTY OF THE
UNITED STATES VIRGIN ISLANDS

As Revised by
The Territorial Committee of the
Democratic Party of the Virgin Islands
August 23, 1997

BYLAWS
Adopted Pursuant to the
Charter of the Democratic Party of the United States Virgin Islands

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BYLAWS

Adopted Pursuant to the Charter of the Democratic Party of the United States Virgin Islands.

ARTICLE ONE
Territorial Convention

- Section 1. The Democratic Party shall assemble in Territorial Convention each year commencing the year 2000 and each year thereafter in which an election for the offices of Governor, Lieutenant Governor, Delegate to Congress, Senate, Board of Education, Board of Election and Territorial Committee shall occur.
- Section 2. The Territorial Committee shall adopt permanent rules governing the business of each Convention, and until the adoption of such permanent rules, the Convention and the activities attendant thereto shall be governed by temporary rules set forth in the Call to the Territorial Convention to be issued by the Territorial Committee.
- Section 3. Delegates to the Territorial Convention shall be allocated in the Call to the Convention consistent with the rules adopted by the Territorial Committee.

ARTICLE TWO
Territorial Committee

Section 1. Duties and Powers.

The Territorial Committee shall have general responsibility for the affairs of the Democratic Party between Territorial Conventions, subject to the provisions of the Charter and to the resolutions or other official actions of the Territorial Convention. This responsibility shall include, but not be limited to:

- (a) Issuing the Call to the Territorial Convention;
- (b) Conducting the Party's election campaign;
- (c) Filling vacancies in the nominations for the office of the Governor, Lieutenant Governor, Delegate to Congress, Senators and Boards;
- (d) Assisting Democratic Party organizations in the election of their candidates and the education of their voters;
- (e) Formulating and disseminating statements of Party policy and promoting programs for the systematic study of public policy issues;

(f) Providing for the election or appointment of a Chairperson, Vice-Chairperson who shall be of the opposite sex of the Chairperson, a Treasurer, a Secretary and other appropriate officers of the Territorial Committee as shall be determined by the Committee, and for the filling of vacancies;

(g) Establishing and maintaining the headquarters of the Party;

(h) Promoting and encouraging Party activities at every level, including but not limited to the following:

- (1) promoting and encouraging implementation of all Party mandates;
- (2) fulfilling the Party platform pledge and other commitments;
- (3) establishment and support of an adequate system of political research;
- (4) preparing, distributing and communicating Party information to its members and the general Public;
- (5) developing and maintaining a program of public relations for the Party; and
- (6) developing a program for the coordination of Party committees, organizations, groups, public officials and members.

(I) Encouraging and assisting groups of party members in the organization of Clubs to promote further principles, programs and nominees of the Democratic Party, and to assure certificates of recognition to any such Democratic Clubs so formed.

Section 2. Membership

The Territorial Committee of the Democratic Party shall consist of members who have been elected as National Committeeman, National Committeewoman, State Chairperson, the District Chairpersons, at-large members and district members, together with ex-officio members as set forth in Section 3 of this Article.

Section 3. Ex-Officio Membership

There shall be ex-officio members of the Territorial Committee who shall exercise all rights of membership, including the right to vote. Ex-officio members shall include (a) the Titular Head of the Democratic Party, that is the party's candidates at the previous General Election for the position of Governor and Lieutenant Governor, (b) the party's elected or last elected Delegate to the United States Congress, (c) the party's Senatorial nominees from the previous General Election, (d) the party's former Governors, and (e) the presiding officer of each of the party's clubs.

Section 3. Certification and Eligibility of Members

The Chairperson of the Territorial Committee shall obtain from the Supervisor of Election following each territorial election, a certified list of those persons who have been elected to the Territorial Committee.

Section 4. Officers

The Territorial Committee shall have a Chairperson, who shall be the elected State Chairperson of the Democratic Party of the Virgin Islands, a Vice Chairperson whose sex and district of residence shall differ from that of the Chairperson, a Secretary, an Assistant Secretary, a Treasurer, an Assistant Treasurer, a Sergeant-at-Arms, a Parliamentarian, an Assistant Parliamentarian, and a Legal Counsel. All officers except the Chairperson shall be elected by the members of the Territorial Committee at the first meeting following the Territorial Convention and shall serve for two (2) years.

Section 5. Conflict of Interest

(a) The State Chairperson, National Committeeman, National Committeewoman, District Chairpersons, Party Officers, or Club President shall not enter into any employment or hold any exempt position, unclassified position, policy making position or position of trust with an opposition administration where such employment will either impair that person's independence of judgement as to his or her official party capacities or require him or her or induce him or her to disclose confidential information acquired by him or her in the course of his or her official party duties.

(b) If any of the above named officers accepts such employment, that person shall within ten days of such employment notify the Territorial Committee and submit his or her resignation from his or her party position.

(c) The Territorial Committee, by majority vote of the members present and voting, shall remove such individual from office upon the failure of the affected person to notify the Territorial Committee and resign from his or her party position.

Section 6. Recognized Party Caucus

Any Senator or public official elected on the Democratic Party Ticket who associates himself or herself with another caucus other than the caucus recognized by the Territorial Committee of the Democratic Party of the Virgin Islands during the term of his or her office, automatically by that association shall forfeit his or her vote in the Territorial Committee of the Democratic Party of the Virgin Islands for the duration of his or her term of office.

Section 7. Resignation or Removal of Members

(a) A member of the Territorial Committee may resign by written notice to the Chairperson of the Territorial Committee, and such a resignation shall be effective immediately.

(b) After notice and opportunity for hearing and upon grounds found by the the Judicial Council to constitute good and sufficient cause, the Territorial Committee may remove a member by two-thirds vote of the Territorial Committee.

(c) Failure of any member of the Territorial Committee to declare affirmatively his or her support for the Democratic Party nominees for Governor, Lt. Governor, Delegate to Congress, Senate and Boards shall constitute good and sufficient cause for removal.

Section 8. Vacancies

Vacancies on the Territorial Committee or in any elected party office shall be filled by the person receiving the next highest number of votes cast in the Primary Election, at the Territorial Convention, or at the election for party office, and in the event such person declines or is unavailable to serve, then a replacement shall be selected by a two-third (2/3) majority of the members present and voting.

Section 9. Contests or Challenges

(a) Any challenge to the credentials of a member of the Territorial Committee may be made by any Democrat from the district of the member challenged or any member of the Territorial Committee and shall be filed by Registered Mail (return receipt requested) with the Chairperson of the Territorial Committee within thirty (30) days of the selection of such member.

(b) As soon as practicable following his or her election, the Chairperson of the Territorial Committee shall appoint a Credentials Committee subject to the approval of the members thereof by the Territorial Committee.

(c) The Credential Committee shall determine the validity of the credentials of those elected to the Territorial Committee, and decide all challenges to the seating of such members within five (5) days. The Credentials Committee shall provide each party to a dispute a reasonable opportunity to be heard and it shall submit its report to the Territorial Committee for approval.

Section 10. Meeting

(a) The Territorial Committee shall meet within ten (10) days following the primary and as stated in Title 18 V.I.C. Section 304(a).

(b) The Territorial Committee shall meet at least four times each year upon call of the Chairperson and after notice to members, unless any such meeting is dispensed with by prior vote of a majority of the membership of the Territorial Committee.

(c) Special meetings of the Territorial Committee may be held

(I) upon the call of the Chairperson with the approval of the Executive Committee with reasonable notice to the members, and no action may be taken at such a special meeting unless such proposed action was included in the notice of the special meeting; or

(II) Upon the written request of twenty-five percent or more of the members of the Territorial Committee,

(d) It shall be the duty of the Chairperson within fifteen (15) days from receipt of such request to issue a call for a special meeting of the Territorial Committee. The date of such meeting shall be fixed by the Chairperson not later than thirty (30) days nor earlier than fifteen (15) days from the date of the call. The Secretary shall send written notice of the date, time, and place of such meeting, and the tentative agenda to all members of the Territorial Committee no later than thirty (30) days before a special meeting of the Territorial Committee.

Section 11. Quorum and Voting

(a) A majority of the full membership of the Territorial Committee present in person or by proxy shall constitute a quorum; provided, however, that for purposes of voting to fill vacancy on the Territory's ticket, a quorum shall be a majority of the full membership present in person.

(b) Except as otherwise provided in the Charter or in these Bylaws, all questions before the Territorial Committee shall be determined by majority vote of those members present and voting in person by proxy.

(c) Each member of the Territorial Committee shall be entitled to one vote on each issue before it.

(d) Proxy voting shall be permitted. Proxies may be either general or limited and either instructed or uninstructed. All proxies shall be in writing and transferable if so specified. No Territorial Committee member may at any one time hold or exercise proxies for more than one other Territorial Committee member; provided, however,

that proxy voting shall not be permitted in voting to fill any vacancy on the Democratic Party territorial ticket.

(e) The Chairperson of the Territorial Committee may refer matters to the members of the Territorial Committee for consideration and vote by mail, provided, however, that if members aggregating more than twenty percent (20%) of the full membership shall so request, the matter shall be presented to the next meeting of the Territorial Committee.

Section 12. Committees

(a) In addition to the Committees otherwise provided for in the Charter or in these Bylaws, there shall be the following standing committees of the Territorial Committee:

- (I) Resolutions Committee
- (II) Rules and Bylaws Committee.

(b) (I) The Resolutions Committee shall receive and consider all resolutions proposed by a member of the Territorial Committee and shall report out to the Territorial Committee its recommendation in writing. Said report shall contain the text of each resolution considered but not recommended for adoption; and

(II) Each resolution shall be submitted to the Secretary of the Territorial Committee at least twenty-one (21) days prior to the meeting of the Territorial Committee, and copies of all such resolution shall be sent to each member no less than fourteen (14) days prior to the Territorial Committee meeting, provided that the Executive Committee may vote to submit urgent resolutions to the Territorial Committee at any time.

(c) (I) The Rules and Bylaws Committee shall receive and consider all amendments to the Rules and Bylaws of the Territorial Committee and to the Charter of the Democratic Party of the United States Virgin Islands and shall report out to the Territorial Committee its recommendation in writing. Said reports shall contain the text of each amendment considered but not recommended for adoption;

(II) Amendments to the Charter of the Democratic Party shall be received by the Rules and Bylaws Committee not less than sixty (60) days prior to a regular meeting of the Territorial Committee;

(III) Amendments to the Bylaws or the adoption of rules for the Territorial Committee shall be submitted to the Rules and Bylaws Committee which shall mail such proposed amendments to the members no less than thirty (30) days prior to the Territorial Committee meeting at which the recommendation shall be considered. It shall be responsibility of the member of the Territorial Committee submitting a

Bylaws Amendment to distribute a copy to all members of the Committee within the time required by these Bylaws for consideration, or submit the request to the Secretary with ample time to make such distribution;

(IV) The Executive Committee may refer to the Rules and Bylaws Committee for preliminary consideration the temporary Rules of the Territorial Convention to be included in the Call to the Convention, and the Executive Committee may adopt the recommendations by the Rules and Bylaws Committee as such temporary Convention rules;

(V) The Rules and Bylaws Committee shall conduct a continuing study of the Bylaws, Rules and Charter and make periodic recommendations for amendment, extension or other action, provided that any such recommendations by the Rules and Bylaws Committee shall be submitted to the members of the Territorial Committee at the time the agenda is presented; and

(VI) The report of the Rules and Bylaws Committee shall be in writing and shall contain the full text of action recommended and shall identify recommendations not approved by the Committee for adoption.

(d) The Territorial Committee may from time to time create such other standing or Ad Hoc committees as it shall deem appropriate.

(e) Except as otherwise provided in the Charter or in these Bylaws, the members of all committees of the Territorial Committee shall be appointed by the Chairperson of the Territorial Committee, subject to ratification by the Territorial Committee, and shall be appointed to serve for the tenure of the Chairperson.

(f) The provisions of Section 11 of this Article shall apply to committees of the Territorial Committees.

(g) All matters referred to any council, special committee, standing committee, conference or any other sub-group must be acted upon and said action reported to the body which originated the reference.

Section 13. District Committees

The District Committees shall act affirmatively to develop and implement appropriate education, training, fund-raising and outreach programs directed at low and moderate income Democrats and shall implement rules and regulations of the Party in their most constrictive interpretation to effect increased participation and representation by people of low and moderate income. Nondiscrimination shall be strictly enforced.

(a) Each District Committee shall require each unit of the Party which holds meetings to publicize effectively and in a timely fashion the dates, times, and places of all meetings.

(b) Notice of meeting shall be published as required in this Section prior to the meeting. Such notice may appear as a legal notice, paid advertisement, news item, direct mail, radio or television announcement, or in such other form as may reasonably be designed to notify Democrats of the meeting, provided no division of the Party is required to purchase paid advertising;

© If challenged, the District Committees shall be deemed to be in compliance with this Section upon proof of effective notice from the reporting unit of the Party.

(d) If a District Committee or any club of the territory fails to comply with the foregoing provisions of this Section, the Territorial Committee may assume responsibility for setting dates, times and places for local meetings and for giving notice of the same as provided in this Section.

(e) The District Committee may establish such procedures as are necessary to insure compliance with this Section, including procedures for review of complaints of non-compliance with this Section

(f) All complaints of non-compliance by any District Committee with the provisions of this Section shall be brought before the Committee on Territorial Participation by any registered Democrat resident in the district in which the alleged non-compliance occurred.

Section 14. Clubs, Organizations and Associations

(a) The Territorial Committee may Charter such clubs, women's associations or youth organizations as it may deem necessary within its respective Districts, provided that they shall first apply for a Charter through its respective District Committee.

(b) The District shall have thirty (30) days to review a complete Charter application and make its recommendation to the Territorial Committee. If no recommendation is issued the Charter application shall automatically be placed on the agenda of the next regular meeting of the Territorial Committee.

© A Charter application must be made in writing and signed by not less than twenty-five (25) registered and enrolled members of the Democratic party of the Virgin Islands residing in the District. It shall draft rules necessary to the conduct of their business, not inconsistent with these rules, or existing law, which shall be submitted as part of the application for Charter.

(d) No club, association or organization shall operate without the prior approval of the Territorial Committee.

(e) Each Chartered club, association or organization shall give a minimum of ten (10) percent of their net proceeds collected from fund-raising activities to the Territorial Committee which shall be deposited in the general fund of the party.

Section 15. Duties and Responsibilities of the Chairperson.

The Chairperson shall be the chief executive officer of the Territorial Committee and shall exercise authority delegated to him or her by the Territorial Committee in carrying out its day-by-day activities.

ARTICLE THREE
Executive Committee

Section 1. Powers and Duties.

The Executive Committee of the Territorial Committee shall be responsible for the conduct of the affairs of the Democratic Party in the interim between the meetings of the full Committee. This responsibility shall include, but not be limited to:

(a) approving the budget and overseeing the operations of the Territorial and Education Training Council; and

(b) reporting all of its proceedings to the Territorial Committee.

Section 2. Membership.

The Executive Committee shall be comprised of the Chairperson of the Territorial Committee, the Vice State Chairperson, the Treasurer, the Secretary of the Territorial Committee, three other members and such other members as the Territorial Committee shall determine.

Section 3. Tenure.

Members of the Executive Committee shall serve until the appointment of their successors. Upon resignation of a member, a successor shall be selected by the original official authority to serve the unexpired portion of the term.

Section 3. Meetings.

The Executive Committee shall meet at least four times each year. Meetings shall be called by the State Chairperson or by written request of no fewer than one fourth

of its members. The Executive Committee shall keep a record of its proceedings which shall be available to the public.

Section 4. Quorum and Voting.

The provisions of Section 11, Article Two of these Bylaws shall apply to the Executive Committee.

ARTICLE FOUR
Judicial Council

Section 1. Duties and Powers. The Territorial Committee shall elect a Judicial Council, the function of which shall be to adjudicate disputes arising out of the interpretation or application of the Bylaws provided, however, that the right of the Territorial Committee to settle credential disputes shall not be abridged.

Section 2. Membership

(a) The Judicial Council shall consist of five members, two of whom shall be appointed by the Chairperson of the Territorial Committee and shall be equally divided between men and women.

(b) Members of the Judicial Council shall be approved by the Territorial Committee at its first regular meeting following each bi-annual territorial election, for a term of two years.

(c) Vacancies shall be filled for the balance of each term in which it occurs at the next meeting of the Territorial Committee.

(d) The Chairperson of the Council shall be elected by majority vote by the members of the Council.

(e) No member may participate in any matter in which he or she may have a conflict of interest.

Section 3. Quorum and Voting.

A majority of the members of the Judicial Council shall constitute a quorum. All matters before the Judicial Council be determined by a majority vote of those members present and voting. No proxy voting shall be permitted.

Section 4. Rules of Procedure and Records.

The Judicial Council may adopt its own rules of procedure, and shall keep a record of its proceedings and make the same available to the Territorial Committee.

ARTICLE FIVE
Executive Director; Appointment; Duties.

Section 1. The State Chairperson may appoint, with the advice and consent of the Territorial Committee, an Executive Director to serve at the pleasure of the State Chairperson. The Executive Director may receive such compensation as may be determined by the Territorial Committee and by the availability of the funds.

Section 2. Duties:

The Executive Director shall:

(a) develop and implement strategies and programs to promote the interests of the Democratic Party;

(b) conduct studies; analyses and investigations of financial needs of the Democratic Party and the means and resources for addressing financial needs;

(c) make available to the Territorial Committee the results of such studies and information on financial needs and resources;

(d) solicit and accept in the name of the Democratic Party contributions, gifts, donations, and any other form of financial assistance from any source for the purpose of carrying out the objectives of the Party;

(e) cooperate and work with other sub-committees of the Territorial Committee and all segments of the Democratic Party in coordinating financial plans for the Party; and

(f) perform such other duties as may be directed by the State Chairperson.

ARTICLE SIX
Amendments

The Bylaws may be adopted or amended by majority vote of:

(a) the Territorial Committee; or

(b) the Territorial Committee provided that thirty (30) days written notice of any proposed Bylaw or amendment has been given to all members of the Territorial Committee. Unless adopted in the form of an amendment to the Charter or otherwise designated, any resolution adopted by the Territorial Convention relating to the governance of the Party shall be considered a Bylaw.