

RULES OF THE ORLEANS COUNTY DEMOCRATIC COMMITTEE

The purpose of these rules is to inspire and encourage the greatest number of Democrats to participate in the affairs of the Democratic Party of the State of New York in Orleans County, to insure the continuing success of the Democratic Party, and to provide the best possible responsible government for the people of the State of New York.

The Orleans County Democratic Committee, (herein called "Democratic Committee") pursuant to the N.Y. Election Law, adopts the following rules for the government of the Democratic Party within the County of Orleans. N.Y. Election Law details can be obtained at: <http://www.elections.ny.gov/ElectionLaw.html>

1. COMMITTEE MEMBERSHIP:

The Democratic Committee shall be a body of two members in each Orleans County Election District. Each member must be an enrolled voter of the Democratic Party who resides within the County and the Town in which such member is elected, and preferably a resident of the particular election district they represent.

As of 2016 the towns of Orleans County have a total of 40 Election Districts (Albion: 6, Barre: 2, Carlton: 3, Clarendon: 3, Gaines: 4, Kendall: 3, Murray: 6, Ridgeway: 7, Shelby: 4, Yates: 2). At 2 members per district this allows for the Democratic Committee to have 80 members. The Democratic Committee is legally constituted if 25% of the committee members are elected, which is 20 members for Orleans County.

2. ELECTION AND TERM OF OFFICE:

Members of the Democratic Committee shall be elected in each even numbered year at the fall primary. Petitions for the nomination of committee members for each election district are passed before the primary. Dates during which signatures can be collected and the deadline for petition submission can be found out from the County Election Office. Petitions can list 1 or 2 names for a single election district. Petitions must collect signatures from 5% of the registered Democrats in that district. Only registered Democrats can sign the petitions. A

person can sign one of their own petition forms as long as someone else signs as a witness at the bottom of the petition. A Democrat in a town can either only sign 1 petition with 2 names or 2 petitions with 1 name within that town. A sample petition is made available as an attachment to these rules.

If only 1 or 2 people have valid petitions submitted for a given election district, then those people will become committee members as of the date of the primary.

If more than 2 people have valid petitions submitted for a given election district, then a primary election is held for that election district. The top 2 vote getters become committee members as of the date of the primary.

Members shall hold office for two years.

3. ALTERNATE COMMITTEE MEMBERS:

Two alternate members of the Democratic Committee in each election district may be appointed and voted on by the Democratic Committee. Each alternate member shall be an enrolled voter of the Democratic Committee who resides within the County and the specific town in which such alternate member is appointed, and preferably a resident of the particular election district. Alternate members shall hold their appointments concurrently with the elected committee or until their successors have been appointed.

4. VACANCIES

Vacancies in the Democratic Committee shall be filled pursuant to N.Y Election Law 2-118.

5. OFFICERS:

Within (20) twenty days after election at the September primary election, the members of the Democratic Committee shall hold an organizational meeting and organize by the election of Officers: a Chairperson, two Vice-Chairpersons (one of whom shall be a male and one a female), a Secretary and a Treasurer. Only members of the Democratic Committee can be elected Officers.

6. DEMOCRATIC COMMITTEE MEETINGS:

The Democratic Committee shall meet:

- (a) Within twenty (20) days after the September primary election to organize.
- (b) At least seven (7) times a year (in addition to the organizational meeting) if there is no Executive Committee. If there is an Executive Committee, then the Democratic Committee should meet quarterly.
- (c) At the call of the Chairperson.
- (d) Within ten (10) days after personal service upon either the Chairperson or the Secretary of a written request, signed by at least five (5) members of the Democratic Committee, to call a special meeting. Such written request shall set forth the purpose for the request and a statement of the matter or matters to be brought before such a meeting.

At all meetings of both the County Democratic Committee and the Executive Committee the order of business shall be as follows:

- (1) Reading the agenda of the meeting
- (2) Election of officers (organizational meeting only)
- (3) Adoption of amendments to the rules, if any
- (4) Filling of vacancies, if any
- (5) Reports of officers
- (6) Reports of committees
- (7) Unfinished business
- (8) New Business
- (9) Adjournment

7. QUORUM:

A quorum of members of the Democratic Committee is required for any vote taken during a committee meeting.

During the September organization meeting the quorum value will be set for the following 2 years. The value will be $\frac{1}{2}$ of the average Democratic Committee meeting attendance for the previous 2 years.

8. VOTING AT MEETINGS:

Voting shall be in accordance with the N.Y Election Law 2-104. Each member shall be entitled to vote in person. If a member is not present in person, an alternate member from such absent member's district shall be entitled to vote in place of such absent member.

Weighted voting shall always be used for votes that involve more than one person seeking the same office and for endorsements. For weighted voting each member has the number of votes cast in his or her district for the Democratic Party candidate in the last preceding gubernatorial election, or as otherwise specified in the N.Y Election Law 2-104. At the request of the Chairperson or a Democratic Committee member, a show of hands maybe requested. If the hand vote overwhelmingly demonstrates the intent of the Democratic Committee, a polling of the weighted vote is deemed unnecessary. If a dispute regarding the vote tally arises, a weighted vote will be required.

All other voting is majority voting. A motion is made, seconded, and the vote takes place, according to *Robert's Rules of Order*.

The Democratic Committee may choose by a majority vote at any time, to go into executive session, at which point visitors will be asked to leave.

9. Attendance

Any Democrat registered in Orleans County has the right to attend and speak at all meetings of the County Committee. Non-committee members may be seated separately from Committee members in order to facilitate voting. A non-committee Democrat wishing to speak will be recognized by the chair and will be limited to two (2) minutes in which to make a statement. Guests can attend the Democratic meetings by invitation.

10. Email Voting

For urgent issue that need to be addressed between meetings, email voting may occur. An email is sent out to all committee members specifying a timeframe for response. Response needs to meet quorum requirements. Members who do not use email can provide a phone number for use instead.

11. NOTICE OF MEETINGS:

Notice of any meeting of the Democratic Committee shall be given to each member, shall state the purpose or purposes of the meeting, and shall be timely if:

(a) Given either personally, by email, or by phone at least seventy-two (72) hours prior to the meeting, or is

(b) Given either personally, by email, by phone, or by U.S. Mail at least 5 days prior to the meeting.

12. PARTY NOMINATIONS FOR VILLAGE OFFICES:

Nominations for village offices in the Democratic Party shall be by Party Caucus called pursuant to this rule. The members of the Democratic Committee in the respective villages of Orleans County shall constitute the proper party authority for giving notices for Democratic caucuses to make party nominations of candidates for village offices. The committee members of a given village may elect a chairperson to coordinate activities in that village. It shall also be the duty of such members of the Democratic Committee to give notice and arrange for, call and conduct such village caucuses in accordance with the provisions of the N.Y Election Law.

13. PARTY NOMINATIONS FOR TOWN OFFICES:

Nominations for town offices in the Democratic Party shall be by Primary Election held pursuant to this rule.

In towns where at least 50% of Democratic committee positions are filled by members, that town's committee shall constitute the proper party authority for advising and assisting town candidates and handling issues that may arise in the primary election. This includes determining whether a certificate of authorization (Wilson Pakula) is granted to any nominee who is not an enrolled Democrat.

In towns where less than 50% of Democratic committee positions are filled by members, the county committee shall constitute the proper party authority for advising and assisting that town's candidates and handling issues that may arise in the primary election. This includes determining whether a certificate of authorization (Wilson Pakula) is granted to any nominee who is not an enrolled Democrat.

The committee members of a given town may elect a chairperson to coordinate activities in that town.

14. PARTY NOMINATIONS FOR COUNTY OFFICES:

The members of the Orleans County Democratic Committee shall constitute the proper authority for nominating candidates for County wide offices. Party

nominations for district legislative candidates shall be conducted by the joint Democratic Committees of the respective towns of each district. The joint district committee shall give notice, arrange for and conduct the necessary meetings, on a timely basis, to carry out this task. If the joint committee fails to act, the Orleans County Democratic Committee is authorized to act on their behalf.

Petitions will be for County and District candidates, in accordance with the provisions of the N.Y. Election Law.

15. ETHICS:

The Orleans County Democratic Committee Chairperson or Vice Chairpersons shall not use their party position as a means of undue or improper influence, for personal gain, not generally available to other members of the Democratic Party.

16. REMOVING A COMMITTEE MEMBER

The Executive Committee (or Democratic Committee if there is no Executive Committee) shall be and is hereby vested with the power in its discretion, to remove any member of the Democratic Committee for the reason specified in Section 2-116 of the NYS Election Law and with the power, in its discretion, to appoint a subcommittee to hear the charges and report its finding to the Committee. Any member of the Democratic Committee sought to be removed pursuant to this Article shall have the right to appear with counsel and be heard by such subcommittee.

Removal of member or officer of a party committee shall be in Accordance with Section 2-116 of the Election Law of the State of New York which provides as follows: A member or officer of a party committee may be removed by such committee for disloyalty to the party or corruption in office after notice is given and a hearing upon written charges has been had. The hearing shall be held by the committee or a subcommittee thereof appointed for that purpose which subcommittee shall report its findings to the full Committee. Removal of a committee member for disloyalty should only be taken under extraordinary circumstances.

17. ORLEANS COUNTY DEMOCRATIC RULES AMENDMENTS:

These rules shall continue to be the rules of the Democratic Committee until they are amended or new rules are adopted in accordance with the appropriate

provisions of the N.Y. Election Law. Rules may be amended only at a meeting called by written notice or email and specifying that the rules are to be changed. Members of the Democratic Committee are to be provided either with the text of the changes or with a copy of the new rules as a whole (depending on the extent of the changes).

18. STANDING COMMITTEES (optional):

18a. EXECUTIVE COMMITTEE:

The Democratic Committee may vote to stand up an Executive Committee if it feels meeting attendance is high enough to make conducting all business in the whole Democratic Committee cumbersome.

An Executive Committee shall consist of a dozen people:

- 1) The Chairperson
- 2) Female Vice-Chairperson
- 3) Male Vice-Chairperson
- 4) Secretary
- 5) Treasurer
- 6-12) Members of the Democratic Committee as selected by the Democratic Committee

All Members of the Executive Committee will have a vote on business brought before the Executive Committee.

QUORUM:

A quorum of the Executive Committee shall be 6.

VACANCIES:

Vacancies shall be filled by appointment of the Chairperson, subject to ratification by the Democratic Committee.

REQUIRED MEETINGS:

The Executive Committee should meet at least four (4) times a year and at the call of the Chairperson.

MEETING NOTICE:

Notice of any meeting of the Executive Committee shall be valid if in conformity with the notice requirements established for meetings of the Democratic Committee.

TERM OF OFFICE:

Members of the Executive Committee shall serve until successors are elected or appointed at the next organizational meeting of the Democratic Committee.

18b. FINANCE COMMITTEE:

The Finance Committee shall consist of the Treasurer and (2) additional members appointed by the Chairperson.

QUORUM:

A quorum of the Finance Committee shall be 2.

VACANCIES:

Vacancies shall be filled by appointment of the Chairperson.

REQUIRED MEETINGS:

The Finance Committee shall meet at least twice a year and at the call of the Chairperson or Treasurer.

MEETING NOTICE:

Notice of any meeting of the Finance Committee shall be valid if in conformity with the notice requirement established for meetings of the Democratic Committee.

TERM OF OFFICE:

Members of the Finance Committee shall serve until their successors are elected or appointed at the next organizational meeting of the Democratic Committee.

19. State Committee Representatives

Each Assembly district is allowed 2 committee members (1 male, 1 female). Orleans County presently has the 139th and 144th. Representatives are chosen by the same petition process used for electing members of the Democratic Committee.

Rules updated and adopted on: February 7, 2018

Designating Petition Sec. 6-132, ELECTION LAW

I, the undersigned, do hereby state that I am a duly enrolled voter of the _____ Party and entitled to vote at the next primary election of such party, to be held on _____, 20____; that my place of residence is truly stated opposite my signature hereto, and I do hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such party for public office or for election to a party position of such party.

NAME(S) OF CANDIDATE(S)	PUBLIC OFFICE OR PARTY POSITION	PLACE OF RESIDENCE (also Post Office address, if not identical)

I do hereby appoint (here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party),

as a committee to fill vacancies in accordance with the provisions of the election law.

IN WITNESS WHEREOF, I have hereunto set my hand this month, day and year placed opposite my signature.

SIGN IN INK

	DATE	Name of Signer (signature required)	Residence Address	Town
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

Complete ONE of the following

1) STATEMENT OF WITNESS

I (name of witness) _____ state: I am a duly qualified voter of the State of New York and am an enrolled voter of the _____ Party.

I now reside at (residence address) _____.

Each of the individuals whose names are subscribed to this petition sheet containing (fill in number) _____ signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

_____ Date

_____ Signature of Witness

WITNESS IDENTIFICATION INFORMATION: The following information for the witness named above must be completed prior to filing with the board of elections in order for this petition to be valid.

Town or City _____

County _____

2) NOTARY PUBLIC OR COMMISSIONER OF DEEDS

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

_____ Date

_____ Signature and Official Title of Officer Administering Oath