

By-Laws of the Tioga County NY Democratic Committee

ARTICLE I – GENERAL PROVISIONS

Section 1. Official Organization: The official organization of the Democratic Party in Tioga County (the “County”) shall be known as the Tioga County Democratic Committee (TCDC) pursuant to Article 2 of the New York State Election Law (“Election Law”). Except as limited by law or these by-laws, the affairs of the Democratic Party in Tioga County shall be vested in the TCDC.

Section 2. Purpose of TCDC: The Committee is to represent the enrolled members of the Democratic Party in Tioga County. It shall promote the interests of the Democratic Party and its doctrines with harmony and efficiency. It shall aid and advise in the selection of Democratic candidates for office and in their campaigns. It shall provide an orderly and democratic process to carry on the business of the party and to provide the best possible government for the people of Tioga County.

Section 3. Nondiscrimination: The TCDC does not discriminate on the basis of gender, race, religion, disability, ethnicity, sexual orientation or age.

Section 4. Ethics: The TCDC believes it is the obligation of party leadership to conduct its affairs in an ethical manner and, by so doing, enhance respect for the party, its leaders and its policies. Therefore, incorporated by reference are the New York State Democratic Committee ethics rules.

ARTICLE II – MEMBERSHIP

Section 1. Representation and Qualifications:

- A. In each even numbered year, at the primary election, members shall be elected in each election district of the County, who shall be residents of Tioga County and who shall be enrolled Democrats at the time of their election and throughout their term of office. In addition, the Democratic Election Commissioner shall be a voting member of TCDC.
- B. Pursuant to Election Law 2-104.1, the number of members elected to a district shall be proportional to the number of democratic votes cast for governor in that district at the last preceding gubernatorial election, as follows:
 - 0-150 votes: Two (2) members
 - 151-300 votes: Three (3) members
 - Greater than 300 votes: Four (4) members
- C. If election of membership occurs in a year when election district boundaries have changed or a new district has been created since the last preceding gubernatorial election, all members shall be elected proportional to the number of Democratic votes cast for assembly as outlined in subdivision B of this section. If there was no election for member of assembly, then all members shall be elected proportional to the number of enrolled Democrats on the list of enrolled voters last published by the Board of Elections, excluding inactive voters, as follows:
 - 0-200 Democrats: Two (2) members
 - 200-400 Democrats: Three (3) members
 - Greater than 400 Democrats: Four (4) members

Section 2. Responsibilities: All members of the TCDC should

- A. Attend TCDC meetings;
- B. Serve on a Standing Committee or Special Committee;

- C. Carry designating petitions and campaign for Democratic candidates;
- D. Help organize Democrats in their town or village, including registering voters, finding and training volunteers, raising funds, and recruiting candidates;
- E. Be familiar with the goals, organization and procedures of the Party as set forth in the Platform and Rules of the New York State Democratic Committee and the by-laws of the Tioga County Democratic Committee.

Section 3. Terms: The terms of each officer and each member of the TCDC shall be for two (2) years except in the case of filling vacancies for which the term shall begin with his or her appointment and end with the next succeeding biennial election.

Section 4. State Committee: For each Assembly district in the county, two Tioga County Democrats who do not identify as the same gender shall be elected in the Primary Election each even numbered year, or as may be required by vacancy. Such members must be enrolled Democrats living in their respective Assembly Districts (Election Law 2-102).

Section 5. Vacancies: Resignations of TCDC members shall be documented either in writing or electronically and directed to the County Chair or the Secretary. In the case of the death, declination, enrollment in another party, removal from the district, removal from office of a member of a committee, or the failure to nominate or elect a member, the vacancy created thereby may be filled upon nomination by the Chair and a majority vote at a TCDC meeting or TCDC Executive Committee meeting as provided for under Article V.

ARTICLE III – MEETINGS

Section 1. Meetings of the TCDC shall be held as follows:

A. The Biennial Organizational Meeting

1. The Chair shall fix the time, date and place of the meeting to be held between September 17th and October 6th following the June primary in even years for the purpose of electing officers. Notice of such meeting will be provided to members of the incoming Committee, as determined by the County Board of Elections, by mail or electronically no fewer than fifteen days before the meeting. Until such meeting, the existing county committee shall exercise all legal authority. Once the organization meeting is adjourned, the new committee may proceed with regular activities.
2. The Secretary of the last TCDC shall preside for the sole purpose of conducting the election of the new County Chair. The Secretary shall call the meeting to order, call the roll of the elected members as certified by the Tioga County Board of Elections, and preside over the election of a Chair. No motions are permitted until the new Chair is elected. Immediately upon the election of the Committee Chair, the meeting shall be turned over to the Chair who shall preside over the election of a recording Secretary, Treasurer, first Vice Chair and second Vice Chair.
3. The TCDC may elect such additional officers as it may deem advisable.
4. No proxies shall be accepted for the election of officers, but may be used for any other business of the TCDC. Each member shall have one vote. If a position in a district is vacant, there is no vote from that position. Voting for Chair at the organizational meeting shall be by acclamation, roll call, or ballot. If ballots are necessary, the Secretary may choose two tellers to organize the ballots and tally and call out the number of votes for each candidate.
5. For the other officers the vote will be by acclamation or roll call.

6. Within three (3) business days after the organizational meeting, the Secretary shall file a certificate stating the names and post office addresses of the officers to the State and County Board of Elections (Election Law 2-112 1).

B. Regular TCDC Meetings: Regular meetings may be called at any time by the Chair, but shall be called no fewer than four (4) times per year. The Chair shall set forth the time and place of such meetings.

C. Special Meetings: Special meetings may be called at any time by the Chair. Special meetings may also be called at the request of twenty-five (25) percent of the members in writing (including electronically) to the Chair and shall be held within ten (10) days upon receipt of the request.

D. Rules of Order: The rules contained in the most current edition of Robert’s Rules of Order shall govern TCDC meetings unless they conflict with the TCDC by-laws or any special rules of order the TCDC may adopt.

E. Quorum: A quorum to conduct regular or special meetings of the TCDC shall consist of twelve (12) of its voting members in person or by proxy, of which nine (9) must be present physically or electronically. Any member not physically present may participate by means of electronic communication as long as all persons participating can hear each other and can participate in all matters including the ability to propose, object to, and vote upon all motions. No business shall be conducted at any meeting that lacks a quorum.

F. Open TCDC meetings: Any Tioga County Democrat has the right to attend and speak when recognized. Others may be recognized at the Chair’s discretion. Non-Committee attendees may be seated separately from TCDC members to facilitate voting.

G. Notices: The secretary shall notify each member by mail or electronically of the time, place and purpose of a Committee meeting no fewer than five (5) days before the meeting.

Section 2. Voting

A. Voting Power: All voting, except that which is referred to in Article III, Section 1 A 4, “The Biennial Organizational Meeting,” shall be by ayes and nays unless a member requests a roll call vote, in which event the voting power of each member or proxy shall be one vote.

B. Proxies

1. A committee member may be represented at regular and special meetings by a designated written proxy signed by such committee member. Proxies are to be submitted to the Secretary before any voting takes place.
2. Proxies sent to the secretary electronically are acceptable if they come from the proxy giver and are in substantial compliance with the informational requirements of the currently authorized paper proxy. If electronic, the proxy should be from the phone number or account of record of the proxy giver.

ARTICLE IV – OFFICERS

Section 1. Officers: Each of the officers of the TCDC shall be enrolled Democrats in Tioga County, NY, but need not be Committee members. The officers are Chair, First Vice-Chair, Second Vice-Chair, Secretary, and Treasurer. The officers shall discharge the usual duties attached to their respective offices and such other duties which the Chair of the TCDC or the TCDC shall direct. If the Secretary is absent, the Chair will appoint a Secretary *Pro Tem*. The officers will hold office until the next election at which members of the Committee are elected. (Election Law 2-106 4).

Section 2. Duties

- A.** The **Chair** is the Presiding Officer of all meetings of the TCDC and the Executive Committee, an *ex officio* member of all other Tioga County Democratic Committees and sub-committees, and the recognized leader of the Democratic Party in Tioga County. The Chair shall discharge all the duties imposed by law.
- B.** The **First Vice-Chair** followed by the **Second Vice-Chair** shall, in the absence or disability of the Chair, assume the responsibilities of the Chair and discharge the responsibilities and duties of the Chair. They may also assume other responsibilities that the TCDC or County Chair reasonably direct.
- C.** The **Secretary** shall record and keep accurate minutes of all proceedings of the TCDC and the Executive Committee; shall prepare a roll of the members and their email and postal addresses and phone numbers; and notify each member, electronically or to their postal address, of the time and place of all meetings. The Secretary shall also make filings as required. The Secretary shall archive and pass on to his/her successor all minutes and pertinent official documents covering the previous eight years of the TCDC, Executive Committee, and other committees, except for the financial records of the Treasurer. The Secretary shall perform such other secretarial duties as may be assigned by the Chair.
- D.** The **Treasurer** shall
1. Receive and hold in trust all funds of the TCDC, deposit them in a bank selected by the Executive Committee, keep a record of all receipts and disbursements and report the same to members at all regular meetings; shall submit a written report to the Secretary to be included in the minutes of each meeting; shall submit a copy of each check register to the secretary monthly to be held for audit purposes; shall provide copies of bank statements to the secretary semiannually or upon request; shall file timely committee financial reports and disclosures as required by Election Law (including the NYS BOE Electronic Filing System); and shall make expenditures, and only those expenditures, as authorized by the TCDC or the Executive Committee.
 2. Upon a change of treasurer, the previous treasurer shall follow campaign finance law and provide the new treasurer with a final reconciliation of the books.
 3. The Chair shall appoint a committee to conduct an audit every two years and/or each time a new treasurer takes office. The past and current treasurers shall assist with the audit. The audit should be completed within 90 days after the reorganizational meeting or the resignation of a treasurer.

Section 3. Vacancies: In the event of a vacancy in the office of County Chair, the First Vice Chair shall immediately become the County Chair and shall exercise all the powers and perform the duties of the County Chair until a new County Chair is elected at the next organizational meeting of the TCDC. In the event of a vacancy in the offices of County Chair and First Vice-Chair, the Second Vice-Chair shall immediately become County Chair. In the event the Second Vice-Chair cannot serve or the office is vacant, the Secretary shall immediately become the County Chair and shall exercise the powers and perform the duties of the office of County Chair until a new County Chair is elected either at the next organizational meeting or at a meeting of the full TCDC with a quorum within 90 days after such vacancy shall have occurred. At such a meeting the rules and procedures in Article III, Section 1A shall be followed.

The County Chair may fill by appointment any officer vacancy as set forth in section 1 of this Article for the remainder of the term with the advice and consent of the majority of those in attendance at a TCDC meeting.

ARTICLE V — EXECUTIVE COMMITTEE

Section 1. Purpose: The purpose of the Executive Committee shall be to provide coordination and leadership to the work of the TCDC.

Section 2. Powers: The Executive Committee shall have the same powers and perform the same and all duties of the TCDC when the TCDC is not in session, except the power to revise these by-laws, or as specifically provided for in these by-laws.

Section 3. Members: The Executive Committee shall consist of the following persons: the County Chair, the Democratic Election Commissioner, all other elected officers of the TCDC, all members of the State Democratic Committee for Tioga County, the town chairs from each of the nine (9) towns of Tioga County. In addition, the chair may appoint two (2) Members-At-Large and a Committee Attorney. All Democrats elected to public office in Tioga County shall be ex-officio members, without a vote, unless already voting members of the Executive Committee.

Section 4. Meetings: The Executive Committee may be called into session by the Chair or at the request of five (5) voting members in writing by regular mail or electronically to the Chair. Notice of said meeting shall be by mail or electronically no fewer than five (5) days in advance thereof. When attendance at a TCDC meeting does not constitute a quorum, an Executive Committee meeting may be called.

Section 5. Quorum: A quorum for an Executive Committee meeting shall consist of five (5) members present as defined in Article III, Section 1E.

Section 6. Voting: Each voting member of the Executive Committee in Executive Committee meetings shall have one vote. Proxies shall not be used for such meetings.

Section 7. Appointments: All appointments, except for those made in Section 3 of this Article, may be approved by action of the members of the Executive Committee in the event the TCDC is not scheduled to meet within thirty (30) days of the appointment.

Section 8. Expenditures: In case of emergency, the Executive Committee may approve expenditures of funds without the approval of the TCDC.

ARTICLE VI — STANDING COMMITTEES

Purpose: The purpose of standing committees is to manage and carry out the day-to-day work of the TCDC. The TCDC Chair or a Standing Committee Chair may appoint people to the standing committees without their being members of TCDC.

Section 1. The Campaign Committee: shall assist in the recruitment of suitable candidates for local office, conduct outreach efforts to party constituencies, develop a volunteer database, and liaise with federal, state and local campaigns. Both of the TCDC's State Committee members shall be *ex officio* members of this committee.

Section 2. The Communications Committee: shall promote the visibility of the Democratic Party in Tioga County through the Committee's various media platforms; shall have primary responsibility to administer the Committee's official website, www.tioganydemocrats.com, and social media accounts with guidance of the Committee; shall issue press releases in coordination with the County Chair; and shall publicize Committee actions, fundraisers, candidates for office and campaign events. All press releases need the approval of the County Chair or the Communications Committee.

Section 3. The Fundraising Committee: shall be responsible for fundraising in support of the TCDC's ordinary expenses and its campaign contributions to local, state, and federal candidates. The Treasurer shall be an *ex officio* member of this committee.

Section 4. The Finance Committee: shall be responsible for developing a budget and overseeing the treasurer.

ARTICLE VII — SPECIAL COMMITTEES & AFFILIATED DEMOCRATIC ORGANIZATIONS

Section 1. Ad Hoc Committees: The County Chair may establish temporary committees for specific purposes with the approval of the Committee or the Executive Committee.

Section 2. Affiliated Democratic Organizations: Organizations affiliated with the New York State Democratic Party, including but not limited to, the New York State Young Democrats and the New York State Federation of Democratic Women, may seek to charter an officially recognized Tioga County chapter (the "Chapter") upon recommendation of the County Chair and approval of the TCDC. No such charter shall be valid until a list of the Chapter's elected officers and a copy of its by-laws are submitted to the Committee Secretary. Any such charter may be revoked at any time upon recommendation of the County Chair and a majority vote of the TCDC.

ARTICLE VIII — TOWN COMMITTEES

Section 1. Members: The members of the TCDC elected from the election districts of the several towns of the County, or the several villages of the County, shall constitute; respectively, the Democratic town and village committees for all purposes required by statute and otherwise.

Section 2. Organization: The town committees shall call the organization meeting for the nomination of the officers in their respective municipalities. In the event said committees fail to call such meetings, or in the event that there is no member of such committee available to make such a call, then said meetings shall be called by the Chair of the TCDC.

Section 3. Election of Town Officers: The elected members of the TCDC shall meet within their respective towns no later than thirty (30) days after the primary in which they were elected to elect town committee officers as follows:

- A.** In towns of five (5) or more election districts there shall be a Town Chair, a Vice Chair, and a Secretary/Treasurer. There may also be an Executive Committee consisting of the town officers and four (4) members appointed by the Town Chair.
- B.** In towns with fewer than five (5) election districts there shall be a Town Chair and any other officers or committees the members of the town committee deem necessary.
- C.** In the event a Town Chair is not elected in accordance with election law, the Chair of the TCDC will appoint an enrolled Democrat from said town to serve as Town Chair until a Town Chair is duly elected.
- D.** Each Town committee may adopt by-laws for its guidance and governance consistent with Election Law and with any requirements (including these by-laws) of the TCDC, and shall provide a copy to the TCDC and the county Board of Elections. In the absence of adopted town rules or by-laws, Election Law and the TCDC by-laws shall apply.

ARTICLE IX — SPECIAL ELECTIONS AND CAUCUSES

Section 1. Party nominations for an office to be voted for at a special election shall be made by the party committee representing the political sub-division for which said office is to be filled; for example, town members from the TCDC within their respective town limits.

- A. All caucuses shall be called to convene at an hour between five and eight p.m., as the Committee shall determine.
- B. The Chair of the Committee, or a person designated by the Committee, will order when the caucus shall be organized. A Chair and Secretary shall be elected by a majority vote of all persons present who are entitled to vote at such caucus.
- C. The caucus shall be held open at least fifteen minutes.
- D. No persons shall be entitled to vote at such caucus unless their names appear in the enrollment book as "Democrat" from that political subdivision for which the meeting was called.

Section 2. In the event that five (5) Democratic electors qualified to vote at the caucus held in the district should serve notice upon the Secretary or Chair of the caucus, a written demand, or so many of them as may be specified in such demand, stating that they shall request the following additional requirements, such request shall be complied with.

- A. The Chair and other officers shall take the constitutional oath of office.
- B. Candidates, judicial delegates and officers of the organization shall be chosen by ballot.
- C. The meeting shall be held open not less than one half hour for the voting thereat.
- D. A teller shall be appointed by the Chair of the caucus to keep a poll list of the names and residences of each person voting and assist the Secretary in the canvass of votes. A watcher shall be appointed from the electors by the Chair of the caucus for each candidate or set of candidates or delegates requesting the same.
- E. The Secretary shall publicly announce the number of votes cast for each candidate and the result of the canvass, and shall file a statement of such result and the oaths taken at such primary or caucus and the poll list kept there at in the office of the Clerk of the political subdivision and the papers so filed shall be public records and open to inspection and examination by any voter of the State.

ARTICLE X – PARTY NOMINATIONS AND DESIGNATION OF CANDIDATES

Section 1. Party nominations of candidates for all offices to be filled at a general election shall be made at the preceding primary pursuant to **Article 6** of the New York State Election Law. The designation of a candidate for party nomination at a primary election shall be by petition.

Section 2. Designation of candidates for a party position, defined as membership on a party committee or the position of delegate or alternate to a party convention, may be made as directed by election law.

ARTICLE XI – REMOVAL OF A MEMBER OF THE COMMITTEE

Section 1. A member of the TCDC may be removed from the Committee for Disloyalty to the Democratic Party or Corruption in office, including but not limited to the following examples:

- A. Impeding the recruitment and/or retention of qualified Committee members or Democratic Party members
- B. Impeding the candidacy of qualified Democratic candidates for public office
- C. Failure to carry out their responsibilities as a Committee member due to incapacity, incompetence or neglect, such as neglect to attend meetings.

- D.** Inappropriate behavior that reflects negatively on the Committee
- E.** Knowingly misrepresenting the Committee
- F.** Abuse of power
- G.** Sexual Harassment

Section 2. A request for removal may be presented to the TCDC, the Executive Committee or the Chair. A committee shall vet the complaint, investigate, gather evidence, interview witnesses as appropriate, and present a report to the full Committee. Based on the report, the committee could refer the matter back for further investigation, issue written charges, provide notice to the accused, and schedule a hearing for removal.

Section 3. Said removal shall be pursuant to Section 2-116 of New York State Election Law. The action of any Committee in removing a member thereof, as herein provided for, may be reviewed in summary proceeding before the New York State Supreme Court or by a Justice thereof, upon a petition of the person so removed.

ARTICLE XII – CODE OF ETHICS

The New York State Democratic Committee Code of Ethics shall be the Code of Ethics for the TCDC except when the TCDC by-laws are more stringent.

ARTICLE XIII – AMENDMENT OF BY-LAWS

Section 1. Notwithstanding the provisions of Robert's Rules of Order, we adopt the simple majority provisions of Section 2-114 of New York Election Law for changing by-laws. Therefore, these by-laws may be amended by a majority vote of those present at any meeting of the TCDC provided that a quorum is present and that notice of consideration of such amendments and the amendments are mailed to each TCDC member not fewer than five (5) and not more than twenty (20) days before the meeting.

Section 2. Any member of the TCDC may propose an amendment to these by-laws by presenting the amendment, in writing, signed by at least ten (10) members of the TCDC to the Chair or Secretary at least twenty (20) days before any scheduled meeting of the TCDC.

Article XIV – Miscellaneous

Section 1. A copy of the adopted by-laws shall be made available by the Secretary of the TCDC to any member of the TCDC requesting it.

Section 2. Nothing herein shall supersede or conflict with New York Election Law. In the event of any conflict with these by-laws or with respect to matters not covered herein, NY Election Law shall prevail.

Section 3. If any clause, sentence, paragraph, subdivision, section, article or part thereof of these by-laws shall be adjudged by any court or body of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to the part directly involved in the controversy in which such judgment shall have been rendered.