

MARTIN COUNTY DEC BYLAWS ADOPTED 10-19-2020

Martin County Democratic Executive Committee Bylaws

Pursuant to Florida Statute Section 103.121, and realizing the deep obligations imposed upon us as members of the Democratic Party, who were elected or appointed as party representatives, and believing wholeheartedly and sincerely in the principles of the Democratic Party, so long the champion and benefactor of all the people, we pledge ourselves to stand for all that is good and sincere in government, and to devote our time and energy to developing strong leadership and furthering the growth of effective democratic policies within the Democratic Party. For this purpose we associate ourselves together to carry on the organization of the Martin County Democratic Executive Committee.

Unless otherwise provided in the Bylaws of the Florida Democratic Party or the Bylaws of the Martin County Democratic Executive Committee, the most recent edition of Robert's Rules of Order shall govern. (FDP Bylaws 1.1)

ARTICLE I: NAME

The name of this organization is the Martin County Democratic Executive Committee (DEC).

ARTICLE II: PURPOSE

Pursuant to Article V, Section 1 of the Florida Democratic Party, the DEC shall have the responsibility of discharging Democratic Party Affairs within Martin County, including:

- A. Representing the interest of the members of the Democratic Party of Martin County.
- B. Promoting the understanding of the true principles of the Democratic Party among the citizens of Martin County.
- C. Stimulating an active interest in the policies and organization of the Democratic Party and in government affairs.
- D. Promoting harmony and progress in the Democratic Party.
- E. Cooperating with the National, State, and Congressional District Executive Committees.
- F. Assisting the Democratic Party in electing Party nominees and urging qualified persons to become candidates of the Democratic Party, but without endorsing or supporting candidates in Primary Elections.

ARTICLE III: MEMBERSHIP

Section 1: Elected Members:

- 1.1 Definition of Elected Member: Elected Members shall be defined as those persons elected by a plurality vote on the First Primary Ballot of each Presidential Election year and those elected by the DEC to fill vacancies in precincts. Once a person is elected in a precinct, such person shall be classified as an elected member for the duration of that term, even if that person should move out of that precinct, and should be appointed at-large or to fill a vacancy in the precinct into which he or she moved for purposes of eligibility to seek office.
- 1.2 Precinct System: The elected membership of the DEC shall consist of a man and a woman who are registered Democrats and who reside in, are registered to vote in, and are elected from the Democratic registration of a precinct they are to represent. Should the Democratic registration of a precinct total more than one thousand (1,000) as of

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January 1 of a year in which there is a Presidential Preference Primary, an additional one (1) man and one (1) woman are entitled to be elected to represent said precinct.

They shall be elected by a plurality vote on the First Primary Ballot of each Presidential Election year. At any time a precinct totals one thousand (1,000) registered Democrats or when new precincts are created, additional positions may be created. Such positions shall be filled by the DEC according to its procedure for filling vacancies.

- 1.3 Optional Precinct System (Counties with fewer than 200 precincts): The elected membership of the DEC shall consist of a man and a woman from each precinct who are registered Democrats and who reside in, are registered to vote in, and are elected from the Democratic registration of a precinct they are to represent.

Should the voter registration of a precinct total more than one thousand (1,000) as of January 1 of a year in which qualifying for election to DEC occurs, the DEC may, by amendment to its Bylaws, and upon immediate notification to the Supervisor of Elections of the county by certified mail, and upon immediate notification to the State Chair by certified mail, elect an additional one (1) man and one (1) woman to represent all such precincts. They shall be elected by a plurality vote on the First Primary Ballot of each Presidential election year. At any time a precinct totals one thousand (1,000) registered voters or when new precincts are created, additional DEC positions may be created. Such positions shall be filled by the DEC according to its procedure for filling vacancies.

- 1.4 Elimination of Precincts: In the event that Precincts are eliminated or merged by the lawful and proper action of the County Supervisor of Elections and the Board of County Commissioners, DEC members elected or appointed to represent those precincts may be reassigned to represent the precinct in which they are thereby moved by the action.

If the new precinct has no currently serving DEC representative, the Chair may appoint them to serve out their term in that precinct with the approval of the DEC by plurality vote in accordance with DEC and FDP procedures.

If the newly assigned precinct has more than 1,000 registered voters, the Chair may appoint two additional members to that Precinct as above.

If a vacant precinct exists elsewhere in the county, the positions may be filled by these members. In accordance with DEC procedures. In these instances, the members shall serve out the terms for which they were originally elected.

- 1.5 Election of Members: Candidates for the DEC shall qualify at such times and in such manner as provided by Florida Statutes, and shall be required to sign the Florida Democratic Loyalty Oath as adopted October 11, 2009.

- 1.6 Term of Office: Elected members of the DEC shall take office on December 1st following each Presidential General Election and shall serve for a term of four (4) years.

- 1.7 Vacancies: An office shall be deemed vacant when an elected member resigns or when a member accumulates three (3) un-excused absences from meetings in any one (1) calendar year. Vacancies on the DEC shall be filled by action of the DEC. These members shall be appointed by the DEC Chair and elected by a plurality of the membership of the DEC present and voting within sixty days (60) of the vacancy

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occurring. After a vacancy exists for more than sixty (60) days, the vacancy may be filled by the State Chair. Those persons elected to fill precinct vacancies must be registered Democrats residing within the precinct that they are elected to represent.

- 1.8 Excused Absence: An absence is excused for reasons of illness, business, out-of-town, or other reasonable excuse, with prior notification to an officer.

Section 2: Automatic Members

- 2.1 Definition: Automatic members shall be defined as those who are members by virtue of Florida Statutes or those who are members by virtue of being elected officials, presidents of duly chartered Democratic Clubs, or presidents of chartered local Democratic caucus chapters who reside in said county. Such members shall serve for the duration of their term of office.
- 2.2 Automatic members shall enjoy voting privileges; however, they shall not serve as officers of the DEC.
- 2.3 Attendance: Automatic members shall not be required to meet attendance requirements. Automatic members shall not be computed when determining a quorum.

Section 3. Appointed Members:

- 3.1 Definition: Membership of the DEC may include an additional ten percent (10%) of the total elected membership to which entitled. These members shall be appointed by the DEC Chair and approved by a plurality vote of the membership of the DEC present and voting to serve a one year term. Appointed members shall be registered Democrats residing in the county. Appointed members shall serve at large and shall enjoy voting and other privileges and responsibilities of membership except holding office. Selection of appointed members shall be made in order to achieve political, economic, or minority balance within the DEC.
- 3.2 Term of Office: The term of office for appointed members shall be one (1) year commencing with the date of appointment, however, it shall expire immediately prior to the commencement of the Organizational Meeting of the next committee. Said members may be re-appointed.
- 3.3 Special At Large Status: At any time after the election of officers, the DEC may allow, at the request of a Democratic Party elected official from the county, state, or national Democratic Party level, a special at large status for that person. Such positions shall not be included in the DEC's appointed membership quota. If the elected official is an elected member of the DEC, a vacancy would be created in the precinct that he or she represents. Said vacancy shall be filled in accordance with the DEC's Bylaws.
- 3.4 Vacancies: An office shall be deemed vacant when a member resigns or accumulates three (3) un-excused absences in any one calendar year. Vacancies on the DEC shall be filled by action of the DEC within sixty (60) days in accordance with Florida Statutes. After a vacancy exists for sixty (60) days, the vacancy may be filled by appointment of the State Chair. Those persons appointed to fill precinct vacancies must be registered Democrats residing within the precinct that they are appointed to represent.
- 3.4.1 Excused Absence: An absence is excused for reasons of illness, business, out-of-town, or other reasonable excuse, with prior notification to an officer.

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Section 4. Removal from Office:

- 4.1 A member of the DEC may be removed from office upon a two thirds (2/3) vote of the entire membership at a regular or special meeting of same provided that there shall have been at least ten (10) days written notice of the purpose for the said meeting.
- 4.2 An Officer of the DEC may be removed from office upon a two-thirds (2/3) vote of the entire membership at a regular or special meeting provided that there shall have been at least ten (10) days written notice of the purpose for the said meeting.
- 4.3 Removal may be for cause including, but not limited to, malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, and/or conviction of a felony involving moral turpitude.

ARTICLE IV: OFFICERS

- 1.1 Election of Officers: Officers of the DEC shall be elected by a plurality vote of the membership at the Organizational Meeting. There shall be a Chair, a Vice Chair, a Treasurer, a Secretary, a State Committeewoman, and a State Committeeman. The Chair and Vice Chair must be of opposite sex, when elected at the organizational meeting.
- 1.2 Term of Office: The Chair, Vice Chair, Secretary and Treasurer of the DEC shall take office at the December meeting of the DEC in every even numbered year and shall serve for a term of two years (2.) These officers are eligible to serve additional terms. State Committeeman, State Committeewoman, Precinct Committeemen and Precinct Committeewoman shall take office at the December meeting of the DEC following the residential election and shall serve for a term of four years (4.).
- 1.3 Vacancies: In the event of a vacancy in the office of DEC Chair, or any other officer of the DEC, a meeting shall be held within forty five (45) days upon written notice to members of at least fifteen (15) days, to elect a new officer. Notice of vacancy shall be sent by certified mail to the State Chair within ten (10) days of said vacancy.

Vacancies on a DEC shall not be filled by action of the DEC within the period from the time the DEC Chair position is declared vacant until the election of a new DEC Chair to replace the previous chair.

In the event that a vacancy in the office of DEC Chair is filled by a person of the same sex as the DEC Vice Chair, or vice versa, the requirement that they be of the opposite sex shall be waived for the unexpired term.

- 1.4 Leave of Absence: Any officer of a DEC seeking the nomination for public office shall take a leave of absence from the DEC office commencing at the time of opening a campaign account for said public office and extending for the duration of the campaign. The vacancy created shall be filled by the DEC for the interim period.
- 1.5 Duties and Authority of DEC Officers
 - 1.5.1 DEC Chair: The Chair shall be the official spokesperson for the DEC. The Chair shall preside over all meetings and special meetings of the DEC, the Chair shall

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serve as ex officio member of all duly constituted committees, and shall carry out the orders and resolutions of the DEC, and shall have the discretion to set the order of business at all meetings except the Organizational Meeting.

The Chair shall establish Standing Committees as required by the FDP or by the Bylaws of the DEC and shall establish ad hoc committees as necessary to carry out the business of the DEC.

The Chair shall appoint Chairs of all standing and ad hoc committees and shall appoint committee members in consultation with the Committee Chair.

All appointments are subject to the approval of the DEC.

1.5.2 Vice Chair: The Vice Chair shall have all the powers and functions of the Chair in the absence or disability of the Chair of the DEC. The Vice Chair shall perform such other duties as the DEC shall prescribe or as delegated by the Chair.

1.5.3 Treasurer: The Treasurer shall have the care and custody of all the funds of the DEC, shall deposit said funds in the name of the DEC, shall have charge of such books and papers as the DEC may order, shall attend to such correspondence as may be assigned, shall perform all the duties incidental to his or her office, and shall perform such other duties as the DEC shall prescribe or as delegated by the Chair.

The Treasurer shall keep a detailed record of all financial transactions of the DEC, and shall report the current status of the DEC Treasury at all regular and special meetings of the DEC.

1.5.4 Secretary: The Secretary shall be responsible for keeping the minutes of the DEC, shall have charge of such books and papers as the DEC may order, shall attend to such correspondence as may be assigned, shall perform all the duties incidental to his or her office, and shall perform such other duties as the DEC shall prescribe or as delegated by the Chair.

The Secretary shall maintain a current DEC membership list which shall be furnished to the State Chair as required by the Florida Democratic Party.

1.5.5 State Committeewoman and State Committeeman: The State Committeewoman and the State Committeeman are to serve as liaison between the State of Florida Democratic Party and the DEC; liaison between the DEC and the clubs; are members of the State Executive Committee, DEC Steering Committee, DEC Campaign Committee, and other committees as are designated by the DEC Bylaws.

ARTICLE V: ORGANIZATIONAL PROCEDURES

Section 1. Meetings:

All meetings of the DEC shall be open to all members of the Democratic Party regardless of race, color, creed, sex, age, national origin, physical disability, or sexual orientation. No vote shall be taken by secret ballot. Adequate records shall be kept of all meetings.

1.1 Organizational Meeting: The DEC shall hold an Organizational Meeting, called by the DEC Chair of the preceding committee, whose term does not expire until the election of a new Chair, within thirty (30) days of new committee members taking office.

1.1.1 Agenda: The Organizational Meeting shall be called to order by the DEC Chair who shall preside until the election of the new DEC Chair, who shall then assume the chair. The order of business shall be as follows:

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Credentials Report
- 5) Election of Chair
- 6) Election of State Committeewoman
- 7) Election of State Committeeman
- 8) Election of Vice Chair
- 9) Election of Secretary
- 10) Election of Treasurer
- 11) Election of Any Other Officers

1.2 Failure to Call: In the event an Organizational Meeting is not called for a period of two (2) calendar quarters, the chair of the 16th Congressional District, or the vice chair, at the direction of the chair, shall call a meeting for the purpose of reorganization upon written notice of at least two (2) weeks to all members on the membership list on file with the county Supervisor of Elections. The State Chairman shall be notified by certified mail.

1.3 Voting: At the Organizational Meeting, voting shall be one (1) vote for each member which shall be by cast by signed paper ballot with election to be determined by a plurality vote of the membership present and voting.

1.4 Voting by Proxy: Any member who, for any reason, is unable to attend any meeting of a DEC may execute a written proxy. Such proxy shall be sworn to before a notary public, or, in the alternative, may be validated by two (2) registered Democrats signing as witness. Any proxy which is incomplete in any way shall be returned to the member issuing the proxy. The member sending the incomplete proxy shall be notified immediately by phone or facsimile transmission that the proxy is incomplete. The holder of such proxy shall be a qualified Democrat not a member of the Committee before which said proxy is to be presented. No person shall be permitted to hold more than one (1) proxy.

Section 2. Membership Meetings:

2.1 There shall be a monthly meeting of the DEC. The time, date and location of the meeting shall be established by the DEC Chair. The meeting shall be held within the geographical boundaries of Martin County. The monthly meeting may be suspended for

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a period of one (1) month, upon motion of a DEC member upon a showing of good cause, when made at a regularly scheduled meeting, and voted upon by the DEC membership.

- 2.2 Special Meetings: A special meeting may be called upon a motion at a regularly scheduled meeting at which a quorum is established. Additionally, the chair may call a special meeting upon notification of the officers and members, within three (3) days of date of the special meeting. Notification will be sent by usual means of communication to each officer and member at his or her address as shown in the records of the DEC.
- 2.3 Quorum: At all meetings of the DEC forty (40%) percent of all the DEC members, including the officers, shall constitute a quorum for the transaction of business. When a quorum is present to organize the meeting, it is not broken by the subsequent withdrawal of any of those present, and a meeting may be adjourned despite the absence of a quorum.

Section 3. Policy and Procedure:

- 3.1 Standing Committees: The DEC shall establish an Affirmative Action Committee, which shall work in conjunction with the Florida Democratic Party Affirmative Action Committee to further the goals and policies of the Florida Democratic Party.

The DEC shall establish a Young Democrats Committee, which shall work with the Florida Young Democrats to further the goals and policies of the Florida Young Democrats.

The DEC shall establish a Finance Committee, which shall develop and present a budget proposal which shall include anticipated income and expenditures to the DEC annually for their approval. The DEC Chair and Treasurer shall be ex officio members of the Finance Committee. The Finance Committee shall work with the DEC Chair, Treasurer, and Election Committee to assist in the preparation of a GOTV Budget for approval of the DEC.

- 3.2 Membership Lists: The names, addresses, telephone numbers, and e-mail addresses of the members and officers of the DEC shall be furnished to the State Chairman immediately after the Organizational Meeting. Changes in membership shall be furnished in writing to the State Chair within ten (10) days. A complete and updated membership list shall be sent to the State Chair by January 31st of each year.
- 3.3 Records: Minutes shall be kept of all meetings and shall be presented at the next meeting for approval. Copies shall be sent to the State Chair within thirty (30) days following each meeting.

Section 4. Finances:

- 4.1 Assessment fees: If the DEC receives party assessment fees, it shall submit a campaign plan detailing the expenditure of such fees to the State chair and the Finance Committee for approval.
- 4.2 Distribution of Funds: The distribution of DEC funds among members is forbidden. However, the reimbursement of DEC members for purchases made on behalf of the DEC is permitted.

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4.3 Audits: There shall be an annual audit of the financial condition of the DEC for each calendar year ending December 31 in compliance with applicable Florida Statutes and shall be conducted by qualified examiners who shall not be members of the DEC. Audits shall be conducted in substantial compliance with standard accounting procedures. Copies shall be retained by the Chair for examination of any member, and copies shall be furnished to the Supervisor of Elections and to the State Chair prior to April 1 of the ensuing year.

Section 5. Amendment:

These Bylaws may be altered, amended, or repealed by the DEC at any regular meeting or at any special meeting called for that purpose, provided, however, that notice of the proposed amendment, alternation, or repeal shall be given to each member at the meeting prior to the meeting at which a vote will be taken on the proposed amendment, alteration, or repeal. An affirmative vote of 60% of the membership shall be required.

Adopted March 15, 2010