

Rules of the Dutchess County Democratic Committee as

- Adopted April 3, 1972.
- Amended September 16, 2008 and February 10, 2009

The Democratic County Committee of the County of Dutchess elected by the Democratic electors of the County of Dutchess, do hereby adopt the rules and regulations following for the organization and government of the Democratic Party of the County of Dutchess.

ARTICLE I

General Provisions

Section 1. The organization of the Democratic Party of Dutchess County shall consist of the Democratic electors of each election district who have duly enrolled as required by law in their respective assembly districts for the purpose of participating in the Primary elections of the Democratic Party.

Section 2. There shall be representative bodies as follows:

First: A County Committee to be known as the Democratic County Committee of Dutchess County.

Second: A City Committee in each City.

Third: A Ward Committee in each Ward of a City.

Fourth: A Town Committee in each Town.

Fifth: A Ward Committee in each Ward of a Town having a Ward System.

Sixth: A Village Committee in each Village.

Section 3. The County Committee shall have general authority over the Democratic organization of the county and every subdivision thereof, except where [limited]* by these laws. All City, Town, and Village Committees shall be under the jurisdiction of the County Committee and subject to such provisions and regulations as it may prescribe. In addition to any special powers herein granted to the County Committee, it shall be the superior

organization of the Democratic Party in and for the County of Dutchess, and shall have power to decide all questions relating to party government or management in said County or any part thereof.

ARTICLE II

County Committee

Section 1. The County Committee shall consist of two members from each election district who shall be enrolled voters of the party; and also the members of the State Committee residing in Dutchess County.

Section 2. Each member of the County Committee shall be elected (annually) – (biennially on each even numbered year commencing with the Primary Election for the year 1972.)

Section 3. Its election and designations; At the Primary Election in any year at which members of the County Committee are to be elected, there shall be elected from each election district in each Town or City, of the County, two members of the County Committee. The said County Committee so elected from each election district shall constitute the representation from said Town or City in the said County Committee. Any vacancy in the membership of the County Committee caused by the death, resignation, declination, disqualification, removal from the district or removal from the office of a member of the County Committee, or failure to elect a member by reason of a tie vote or in case of the creation of a new election district for which there shall be no member in the County Committee, the vacancy in such County Committee caused thereby shall be filled by the remaining members of such County Committee. If a vacancy occurs in the office of Chairman of the County Committee at any time between the biennial meetings, the Vice-Chairman shall automatically become the Acting Chairman of the County Committee. In the absence of a Vice-Chairman, the Treasurer of the County Committee shall become the Acting Chairman. In the absence of both Vice-Chairman and the Treasurer, the Secretary shall become the Acting Chairman. It shall be the duty of the Acting Chairman to call a meeting of the members of the County Committee within 30 days after the vacancy occurs, for the purpose of electing a new, permanent Chairman for the un-expired term.

Section 4. Its organization: The County Committee shall meet within 20 days after their election and organize the Committee by the election of a Chairman, Vice-Chairman, Treasurer, and

Secretary, who need not be members elected from any district, and within 3 days therefore, file with the secretary of State and the Board of Elections of the County, a Certificate stating the names and post office addresses of such officers. Also, additional Certificates shall be filed whenever and wherever required by [the]* New York State Election Law.

Section 5. The Chairman may appoint an Executive Committee from within or without the County Committee. All Committees or officers elected or appointed under these rules shall hold offices for one year or until their successors are elected or appointed unless otherwise provided by law. There shall be an Executive Committee from within or without the County Committee who shall be enrolled Democrats constituted as follows:

- (1) All officers of the County Committee.
- (2) All State Committeemen residing in the County of Dutchess.
- (3) A representative or alternate designated by each Town or City Chairman within the County.
- (4) Five at-large members who are appointed by the County Chairman.
- (5) All former Chairmen of the Dutchess County Democratic Committee, residing in the County of Dutchess.
- (6) The Democratic Commissioner of Elections of Dutchess County.
- (7) The Chairman of the Standing Committees of the Dutchess County Democratic Committee as hereinafter provided for.
- (8) The President or a representative of each County-wide Democratic Club; such a County-wide Democratic Club being defined as one which shall have been in existence for at least a year, have a membership of at least 50 persons who are enrolled Democrats, have members residing in at least 50% of the Cities and Towns of Dutchess County, and whose membership shall be open to all persons in the class or of the kind constituting the membership of such club.

Section 6. Upon the meeting of the County Committee for the organization, the Chairman of the outgoing Committee shall preside until the Chairman of the new Committee is elected; unless otherwise provided for by the Election Law or those by-laws, all meetings of the County Committee shall be governed by Roberts Rules of Order. The following shall be the order of business:

- (1) Calling the roll.
- (2) Adoption of rules to the extent permitted or required in Election Law.
- (3) Election of Officers
- (4) Filling vacancies
- (5) Old business.
- (6) New business.
- (7) Adjournment.

Section 7. The County Committee shall hold at least four quarterly meetings in each calendar year, one of which will be the annual organizational meeting which will be held within 20 days after the election of members commencing in 1972. Thereafter special meetings may be called by the Chairman or as set forth in Section 8 following.

Section 8. Special meetings of the County Committee may be called on giving of due notice as follows:

(a) At any time by the Chairman or if he is not available, the Vice-Chairman, or if neither the Chairman or Vice-Chairman is available, the Secretary.

(b) Resolution of the Executive Committee.

(c) Written request subscribed to by five members of the Executive Committee.

(d) Written request subscribed to by 10% of the full County Committee.

(e) Within 7 days after the calling of a meeting as set forth in subparagraph (a), (b), (c), (d) above, the Secretary shall cause proper notice to be mailed.

Section 9.

A. Notice of the time and place of all regular and special meetings other than meetings at which amendments to these rules are to be proposed must be mailed to each member of the Committee at least four days before such meeting, and notice of all adjournment of regular meetings must be mailed to each such member at least two days prior to such adjourned meeting, except when a different notice is required by law.

B. Notice of the time and place of a meeting at which one or more amendments to these rules are to be proposed, accompanied by copies of the proposed amendments, must be sent by postal mail to all members of the Committee not less than five days before such meeting.

C. Notices of meetings other than meetings at which changes in these rules are to be proposed shall be sent by postal mail, except that such notices may be sent by electronic mail ("e-mail") to members who have consented to delivery by e-mail as described in subsection D.

D. A member may give or withdraw consent or amend a previous consent to e-mail delivery of meeting notices by submitting to the Secretary a signed written statement indicating (1) such consent (or withdrawal or amendment of consent); (2) the member's name and postal address; (3) the Town or City, Ward (if any), and

election district in which the member serves; (4) if giving or amending consent, the member's e-mail address; and (5) the date. The Secretary may provide a form for giving, amending, or withdrawing such consent in writing, but use of such form shall be optional, provided that the member's written submission contains the information needed by the Secretary to ascertain the member's identity and intent. The Secretary may establish a secure electronic system in which members who have previously consented in writing as described above can amend or withdraw consent by electronic means, provided that the information stored in that system pertaining to a given member is traceable to the abovementioned signed written statement submitted by that member.

In the event that a meeting notice sent by e-mail is returned as undeliverable for any reason other than a systemic failure affecting multiple members, the Secretary shall thereafter send notices to the affected member by postal mail until and unless the affected member submits a new statement of consent to notification by e-mail. In the event of a systemic failure that prevents e-mail delivery of a notice to multiple members, the Secretary shall take such corrective action as the Secretary finds necessary to ensure proper notification of the affected members.

Section 10. A quorum of the County Committee shall consist of 25% of existing members. Less than a quorum may adjourn to another time.

Section 11. At all meetings of the County, City, Town, Village or Ward Committees, respectively, a member thereof shall be entitled to vote by a proxy upon filing with the Secretary an authorization thereto in writing, duly executed and witnessed and dated (provided, however, they comply with the following section). And further provided:

- (1) All proxies are revocable.
- (2) All proxies must be for a specific meeting only.
- (3) All proxies are controlled by the date they are executed, and the one bearing the latest date is controller.
- (4) All proxies must be fully completed at the time of execution.

Section 12. Members may vote in person or by proxy. If voting by proxy, they must delegate an officer of the County Committee, member of the Executive Committee, or another member of the County Committee to vote their proxy. Anyone who is not a member of one of the foregoing groups shall not be eligible to cast a proxy vote at a County Committee meeting. City, Town, and Village committees may make their own rules for proxy voting in their own meetings. Provided, however, that at meetings of the County Committee, no Member of the County Committee shall be entitled to hold or vote as proxy for more than one absent member.

Section 13. Removal of member of Committee: A member of a party committee may be removed by such committee, for disloyalty to the party, for corruption in office, after notice and hearing upon written charges, to be heard by the Executive Committee of such party committee or sub-committee thereof appointed for that purpose, which shall report its findings to the full committee.

Section 14. All recommendations for appointments shall be made by the Chairman with the approval of a majority of the Executive Committee or Chairman of City, Town or Village of which said applicant is a resident.

Section 15. Committees:

A. There shall be the following standing committees appointed by the County Chairman:

- (1) Finance Committee.
- (2) Issues Committee.
- (3) Law Committee.
- (4) Public Relations Committee.

B. The Chairman of Standing Committees shall be ex-officio members of the Executive Committee and entitled to a vote.

C. The County Chairman shall designate and appoint such other committees as may be necessary.

ARTICLE III

The Officers of the Committees provided for in these rules shall perform the duties ordinarily performed by the Chairman, Vice-Chairman, Treasurer, and Secretary respectively, and Committees appointed or elected as provided for in these rules shall perform the duties that may be prescribed by law or may be assigned to them by the Executive Committee or the Chairman thereof.

ARTICLE IV

Section 1. The City Committee in cities, the Ward Committee in the cities or towns having a ward system, the Town Committee in towns, and the Village Committee in villages, shall consist of such members of the County Committee from the election districts

as are comprised within said respective territories. The said committees constituted as above may appoint Advisory Committee to be joined with Committees constituted as above upon a membership to be apportioned and fixed according to the Party vote in the several cities, wards, towns and villages by election districts based upon a Party vote at last preceding Gubernatorial Election.

ARTICLE V

Section 1. Primaries in cities, towns, and villages where no provision is made by law for the procedure governing the same, shall be conducted as follows:

In the cities within the County of Dutchess, nominations for party positions and for party candidates, shall be made in the same manner provided in the Election Law for the designation for County party positions and County party candidates, except that the number of signatures to be required upon a petition for nominations or party position shall not be less than 5% (or the prevailing requirements of the New York State Election Law) of the enrolled party vote within the districts for which nomination for party position or party candidate may be made.

In towns and villages of the County, unofficial primaries, caucuses and conventions shall be held and conducted in such manner as may be provided by the rules of the Democratic Organization of the several towns which are hereby empowered and authorized to make such rules governing such unofficial primaries or where there are no rules adopted for such procedure, then by the custom which prevails in said town or village, except that at unofficial primaries as may be held, a certified copy of the enrollment book, provided by the County Board of Elections, shall be used and no voter shall be allowed to take part in such Primary Election as a resident of an election district unless his name is upon such certified copy of the enrollment book for that district showing that he is enrolled therein as a Democrat.

The several cities, wards, towns, and villages are hereby authorized and empowered to make such regulations and by-laws as to time and place of meeting and order of conducting business and organization of such committees as may be required by several organizations which are not inconsistent with these rules or the State Election Law but which shall be at all times, subject to the direction and approval of the County Committee or the Executive Committee thereof. The officers of the committees may be chosen from others than those elected thereto.

Nothing in these rules shall be construed as prohibiting the holding of one unofficial primary within a City, Ward, Town or Village for more than one election district, when the same may be so directed by the City, Ward, Town or Village Committee

constituted above.

In case an unofficial State Convention may be called, delegates and alternates to the Convention may be elected by Assembly Districts in such manner as the County Committees may determine.

ARTICLE VI

In the event of any inconsistencies between these by-laws and the Laws of the State of New York, such Laws shall prevail and the offending portion of the by-laws be deemed void. In the event that any portion of these by-laws is void by reason of being inconsistent with the Laws of the State of New York, these by-laws shall be deemed severable and all the remaining portions thereof shall be in full force and effect.

ARTICLE VII

Amendment

These rules and regulations may be amended by a vote of a majority of those voting at a regular or special meeting of the County Committee at which the roll shows a majority of the whole Committee present provided, however, that said amendment shall have been proposed in writing at a regular meeting held before that at which it is acted upon and reported upon by the Committee on Rules, and notice of the meeting at which action is taken, together with a copy of the proposed amendment, shall have been regularly given.

* Words in brackets not present in all available copies of the original 1972 rules.