

# **BY-LAWS and CONSTITUTION OF THE DEMOCRATIC COMMITTEE OF BERGEN COUNTY**

(Adopted pursuant to and in conformance with NJSA Title 19 )

## **ARTICLE 1: MEMBERSHIP OF THE DEMOCRATIC COMMITTEE OF BERGEN COUNTY**

### **Section 1. ELECTED MEMBERSHIP OF THE COUNTY COMMITTEE**

In accordance with NJSA 19.5-2 The County Committee shall be composed of :

- A. the 2 members elected at the Primary Election by the Democratic voters of each election district of the County.
- B. shall take office on the first Saturday following their election and shall hold office for two years unless an executive order implemented by the Chairperson subject to an emergency declaration issued by the Governor/President deems otherwise.

**Section 2. ORGANIZATION OF MUNICIPAL COMMITTEE** In accordance with NJSA 19.5-2 The members of the municipal committee shall consist of the elected members of the county committee resident in the respective municipalities.

**Section 3. ANNUAL MEETING OF THE MUNICIPAL COMMITTEE** The annual meeting of each municipal committee shall be held by the third Saturday following the certification of the results of the primary election for the general election, at an hour and place to be designated in a notice to be given by the chairperson to each member and member-elect, unless an executive order implemented by the DCBC Chairperson subject to an emergency declaration issued by the Governor/President deems otherwise.

### **Section 4. BY-LAWS:**

Each Municipal Committee may adopt its own by-laws and rules of procedure provided, however, nothing contained therein shall be inconsistent with or contrary to the National, State or County bylaws or applicable law. A copy thereof and of all subject amendments thereto shall be filed with the Recording Secretary of the County Committee. In the absence of duly adopted municipal committee by-laws, the by-laws of the Democratic Committee of Bergen County shall deemed to be controlling.

**Section 5. MUNICIPAL CHAIRPERSON ELECTION AND DUTIES** The Municipal Chairperson shall be a resident of the municipality, but need not be a County Committee member, and shall be elected by a majority of municipal committee members at the Annual Meeting.

- A. The chairperson shall preside at all meetings of the committee and perform all duties required by law, the constitution and bylaws of such committee if duly adopted, and the constitution and bylaws of the Democratic Committee of Bergen County
- B. Unless otherwise delineated in duly adopted bylaws of the municipal committee, the Municipal Chairperson shall serve for a term of two years concurrent with the terms of municipal committee members.
- C. Unless otherwise delineated in duly adopted bylaws of the municipal committee, in the event of a tie for election of Municipal Chairperson, notification shall be made within 24 hours to the DCBC Chairperson and all municipal committee members, with a new election held within 7 days. If no majority vote is achieved or other outcome is reached by the next Annual Meeting, those nominated may petition the DCBC Chairperson to cast the tie-breaking vote or the DCBC Chairperson may deem the office of Municipal Chair vacant until such time as the next Annual Meeting occurs.

## **Section 6. VACANCY and RESIGNATIONS**

In accordance with NJSA19.5.2 when a member of a municipal committee ceases to be a resident of the district from which elected, a vacancy on the committee shall exist. A member of a municipal committee may resign and, upon acceptance thereof by the committee, a vacancy shall exist.

- A. County Committee vacancies shall be filled for the unexpired term by the Municipal Committee of the Municipality wherein the vacancy occurs, but not necessarily the district wherein the vacancy occurs.
- B. The Municipal Chairperson shall so notify the County Clerk and the Democratic Committee of Bergen County in writing within 14 days after the filling of the vacancy.
- C. The Chair of the DCBC shall report to the County Clerk any resignation of any County Committee Member accompanied by a notarized letter signed by the resigning committee member, or, if the resigning committee member fails to provide such a letter, by a notarized letter stating that the resignation has occurred signed by the Municipal Chair who shall also provide a copy thereof to the resigning member.

## **Section 7. PUBLIC SUPPORT OF CANDIDATES IN COMPETITION WITH THE DEMOCRATIC PARTY**

Any person who publicly supports a non-Democratic party candidate for public office in a general election shall be deemed ineligible to serve thereafter in any capacity as a voting or appointed member of the Democratic Committee of Bergen County or as one of its candidates for public office except

- A. Those persons who supported candidates in a general election who, at the time of their support, were not registered Democrats.
- B. Those duly elected as current county committee members who have established rights to vote in statutorily designated elections during their terms of office.
- C. Those persons who supported candidates in non-partisan elections in their respective town in Bergen County.

## **Section 8. FORFEITURE OF OFFICE**

Any elected member of the Democratic Committee of Bergen County who, in connection with a conviction or guilty plea to a criminal offense, is deemed to be subject to forfeiture of public office pursuant to the provisions NJSA 2C:51-2, shall automatically be deemed to have forfeited their office with the County Committee and shall be ineligible in future elections.

## **ARTICLE II :QUALIFICATIONS AND ELECTION PROCEDURES FOR OFFICERS OF DCBC**

### **Section 1. EXECUTIVE OFFICERS OF DCBC:**

In accordance with NJSA 19.5-3, the Executive Officers of the DCBC shall be comprised of the positions of Chair, Vice Chair, Recording Secretary, and Treasurer.

### **Section 2. ELIGIBILITY AND QUALIFICATIONS OF EXECUTIVE OFFICERS OF DCBC:**

In accordance with NJSA 19.5-3, but subject to the limitations set forth herein (see Article I section 3 and 4), Executive Officers of the DCBC shall be

- A. Registered Democratic voters and residents of Bergen County
- B. Upon election, the positions of Chairperson and Vice-Chairperson shall be held by individuals in accordance with state law.

### **Section 3. ELECTION OF THE CHAIRPERSON, VICE-CHAIRPERSON, RECORDING SECRETARY AND TREASURER:**

In accordance with NJSA Title 19:5-3 the Chairperson, Vice-Chairperson, Recording Secretary, and Treasurer shall be elected at the Annual Meeting of the County Committee which shall be held by the third Saturday following the certification of the results of the primary election for the general election, at an hour and place to be designated in a notice to be given by the chairperson to each member and member-elect, except under the following circumstance and so noticed in writing to the members-elect as per Article X:

- A. when such meeting day falls on a legal holiday then the meeting shall be held on the day following
- B. when such meeting day falls on the day of a municipal runoff election within the county then the meeting may be held on the day following
- C. When the annual meeting coincides with a period of religious observance, the meeting may be held on another date.
- D. Under no circumstances shall the date of the Annual Meeting occur later than the third Saturday following the primary election except when an emergency declaration executive order requires otherwise.
- E. ELIGIBLE VOTERS: Eligible voting members for the Election of DCBC officers shall have no more than one vote regardless of additional positions held and shall be limited to the newly elected and duly appointed members of the County Committee.

### **Section 4. TERMS OF OFFICE:**

All officers shall hold office for two years or until their successors are fully elected except that

- A. Should a vacancy occur the Chairperson may appoint to fill said office until such time as the next election of Executive Officers shall occur in accordance with NJSA Title 19.

### **Section 5. APPOINTIVE OFFICERS:**

The Chairperson shall appoint the following officers who serve at the pleasure of the Chairperson:

- A. Corresponding Secretary
- B. Legal Counsel
- C. Parliamentarian
- D. Sergeant--at--Arms.

**Section 6. NOMINATION FOR COUNTY CHAIRPERSON, VICE-CHAIRPERSON, RECORDING SECRETARY AND TREASURER:**

- A. Candidates for County Chairperson, Vice Chairperson, Recording Secretary, and Treasurer shall submit to the Candidate Credential Committee a letter of intention indicating the office sought, a resume, and a petition containing the signatures of at least thirty (30) County Committee Members, qualified members of the Executive Board and/or elected officials from at least ten (10) municipalities within Bergen County. The submission period will commence 60 days before and end 20 days days prior to the Annual Meeting.
- B. All resumes submitted by candidates for County Chairperson, Vice Chairperson, Recording Secretary, and Treasurer shall be emailed to all available county committee members at least 15 days prior with the Notice of Annual Meeting.
- C. Except where there is no contest, the DCBC shall conduct a candidate's night to be held after the 20 day filing deadline and date of same shall be included in the Notice of Annual Meeting.
- D. There shall be no nominations from the floor for County Chairperson, Vice Chairperson, Recording Secretary, or Treasurer unless no candidate has been nominated in accordance with Paragraph A of this Section. If no candidate for one of these offices has been nominated in accordance with Paragraph A of this Section, the nomination for that office shall be from the floor by no less than ten (10) elected members of the County Committee from at least five (5) different municipalities.

**Section 7.METHOD OF ELECTION**

- A. If there is no contest for Chairperson, Vice-Chairperson, Recording Secretary or Treasurer, election shall be held by acclamation.
- B. If there is a contest for any of the aforementioned offices, election for the office(s) shall by the procedures set forth in Article X.
- C. In the event of a tie for any DCBC office, a run off election will be held within 7 days with the notification of candidates and eligible voting members within 24 hours.

**ARTICLE III :DUTIES OF OFFICERS**

**Section 1. CHAIRPERSON**

The Chairperson shall:

- A. Preside at all meetings of the County Committee and of the Executive Committee;
- B. Establish any standing committees and appoint all members, including the chairpersons, and be responsible to the County Committee for the faithful performance of their duties;
- C. Serve as a member of all standing committees;
- D. Faithfully execute the decisions of the County Committee;

- E. Speak as the official spokesperson of the County Committee or delegate that responsibility;
- F. Designate candidates having the endorsement of the Democratic Committee of Bergen County and the County Committee subject to these by-laws and New Jersey State Statutes;
- G. Designate the Ballot Position for Nominating Conventions and other DCBC elections;
- H. Appoint such employees, agents, or personnel as the Chairperson shall deem necessary for the regular function of the Democratic Committee of Bergen County;
- I. Act as the Chief Executive Officer and have all duties and power as are necessary to and incidental for the performance of the duties of Chairperson
- J. Appoint a fact-finder charged with investigating the allegation of a violation of the By-Laws filed by any member of the County Committee with the County Chairperson, to determine the merit thereof, provided that no such investigation shall interfere with any governmental investigation;
- K. Cause to be filed a certified list of County Committee members, including municipal chairs, with the appropriate county offices.
- L. In presiding over the Democratic Committee of Bergen County, act to ensure the fundamental fairness of party committee activities and that elected members enjoy participatory rights in the governance of the Democratic Committee of Bergen County;
- M. Cause the By-Laws to be posted on the Democratic Committee of Bergen County's website and a copy submitted to the Board of Elections and to all newly elected or appointed County Committee members via email or physical copy for pickup at Headquarters pursuant to law;
- N. Report to the County Clerk any resignation of any County Committee Member accompanied by a notarized letter signed by the resigning committee member, or, if the resigning committee member fails to provide such a letter, by a notarized letter stating that the resignation has occurred signed by the Municipal Chair who shall also provide a copy thereof to the resigning member.
- O. Make every reasonable effort to ensure that every person elected or appointed to the County Committee shall file with the County Clerk a Certificate of Acceptance, which shall be preserved as a government record.
- P. Make every reasonable effort to collect and keep a current list of each County Committee Member's address, phone number, and email address elected or appointed during their tenure to be used only for official DCBC communication purposes, release thereof subject to approval of each individual member communicated through the appropriate Municipal Chair.
- Q. The Chairperson shall, before April 1 in a year in which county committee members are to be elected, certify to the clerk of each municipality in the county the unit of representation in such municipality, together with the enumeration of the election district or districts embraced within such unit as per Title 19 -5:3

## **Section 2. VICE CHAIRPERSON**

The Vice- Chairperson shall:

- A. Assist the Chairperson in the performance of specified duties; and
- B. In the absence of the Chairperson, preside at meetings of the County Committee or of the Executive Committee.

### **Section 3. TREASURER**

The Treasurer shall:

- A. Keep full and complete accounts of all monies received and disbursed by the Democratic Committee of Bergen County;
- B. Prepare and file such financial statements as may be required of the County Committee by law, including the New Jersey Election Law Enforcement Commission reports and that these reports shall be made available at the Headquarters for inspection;
- C. Render periodic financial reports to the Executive Committee at its meetings;
- D. In the absence of Chairperson and Vice-Chairperson, preside at meetings of the County Committee or the Executive Committee.

### **Section 4. RECORDING SECRETARY**

The Recording Secretary shall:

- A. Keep full and correct minutes of the proceedings of the County Committee and of the Executive Committee;
- B. In the absence of the Chairperson, Vice Chairperson, and the Treasurer, preside at meetings of the County Committee or the Executive Committee

**Section 5. CORRESPONDING SECRETARY:** The Corresponding Secretary shall attend to all matters of correspondence as may be directed by the Chairperson, the Executive Committee, or the County Committee.

**Section 6. LEGAL COUNSEL:** The Legal Counsel shall provide advice and guidance in all legal matters as requested and authorized by the Chairperson.

**Section 7. PARLIAMENTARIAN:** The Parliamentarian shall advise the Chairperson at all meetings as to proper procedures and provide interpretation of these by-laws and constitution as may be necessary.

**Section 8. SERGEANT-AT-ARMS:** The Sergeant-at-Arms shall assist the Chairperson in maintaining order at all meetings.

**Section 9. ADDITIONAL DUTIES:** In addition to the above enumerated duties, each officer shall perform such other functions as may be required by these By-Laws, the statutes of the State of New Jersey, and the rules and procedures of the Democratic National and State Committee.

## **ARTICLE IV :LEGISLATIVE DISTRICT COMMITTEE**

### **Section 1. LEGISLATIVE DISTRICTS**

- A. The Democratic Committee of Bergen County shall include Legislative District Committees consisting of the duly appointed or elected DCBC members of the Bergen County towns within their NJ Legislative District.
- B. The Chairperson, Vice Chairperson, Secretary, and Treasurer of each Legislative District Committee shall be members of and elected by the duly appointed or elected DCBC members of their NJ Legislative District Bergen County towns at the Annual Meeting.
- C. The Chairperson of each Legislative Committee shall be a member of the Executive Committee as the representative from their district.
- D. The Vice Chairperson of each Legislative District Committee shall serve on the Candidate Credentials Committee.

- E. In the event of a tie for any Legislative District office, a run off election will be held within 7 days with the notification of candidates and eligible voting members within 24 hours.

## **Section 2. BY-LAWS**

Each Legislative District Committee may adopt its own by-laws and rules of procedure provided, however, nothing contained therein shall be inconsistent with or contrary to the by-laws of the National, State or County Committee or applicable law. A copy thereof and of all subject amendments thereto shall be filed with the Recording Secretary of the County Committee. In the absence of duly adopted Legislative District by-laws, the by-laws of the Democratic Committee of Bergen County shall be deemed to be controlling.

## **Section 3. MEETINGS**

The Legislative District Committee shall meet at least annually and at times called by the Chairperson of the Legislative Committee or the County Chairperson.

## **Section 4. FUNCTIONS OF THE LEGISLATIVE DISTRICT COMMITTEE**

The Legislative District Committee may

- A. sponsor and conduct political meetings, rallies, and fundraisers for the benefit of the Municipal Committees or DCBC Candidates within the Legislative District.
- B. Provide support and coordination for the election of local, state, county, and federal Democratic candidates through the Municipal Chairs in their Legislative District towns.
- C. Assist in the organization of Democratic Club and Municipal Committees in those towns within the Legislative District having no such clubs and/or committees.
- D. Perform such other functions as may be agreed upon by the Legislative District Committee and/or requested by the County Chairperson.

## **ARTICLE V: EXECUTIVE COMMITTEE**

### **Section 1. MEMBERSHIP**

Members of the Executive Committee shall be registered Democrats and residents of Bergen County and include:

- A. The Chairperson, Vice-Chairperson, Recording Secretary, Corresponding Secretary and Treasurer of the Democratic Committee of Bergen County;
- B. The State Committee-members elected as prescribed by Title 19 of the New Jersey Statute;
- C. Twelve (12) members selected by the County Chairperson;
- D. The Chairperson of each legislative district,
- E. All County, State and National Democratic Party elected officials representing or residing in Bergen County.

### **Section 2. TERMS**

The terms of the Executive Committee members described in Section 1(A), (B), (D), and (E) shall be coextensive with their terms in said office. The terms of the Executive Committee members described in Section 1 (c) shall be at the pleasure of the Chairperson.

### **Section 3. DUTIES**

The Executive Committee shall perform the following duties:

- A. Advise and assist the Chairperson in the appointment of members of the various Standing Committees and all other committees, in the establishment of general policies, in coordinating the activities of all committees and in the enforcement of these by-laws and the decisions of the County Chairperson;
- B. Present to the County Committee such recommendations as it may by a majority vote of those present at meeting deem advisable on any matter;
- C. Act as the Grievance Committee, such members to be appointed from among the Executive Committee.

#### **Section 4. MEETINGS**

The County Chairperson shall be the presiding officer of the Executive Committee and shall call meetings of the Executive Committee

- A. At least quarterly to the extent possible and at such times, places, and manner including electronically as determined by the Chairperson.
- B. Upon notice of the written request of a majority of the total membership of the Executive Committee.
- C. Every member of the Executive Committee shall be provided with the same notice of the date, time, and location of any Executive Committee meeting, and no business of the Executive Committee shall be conducted prior to that date and time.
- D. Ten (10) members being present shall be considered a quorum.

#### **Section 5. VACANCIES**

Vacancies shall be filled for the unexpired portion of the term only and in the manner in which the original appointment was made as described above in Section 2.

### **ARTICLE VI: CANDIDATE CREDENTIALS COMMITTEE**

#### **Section 1. MEMBERSHIP**

The Candidate Credentials Committee shall be composed of thirteen members as follows: the County Chairperson, the Five District Vice Chairpersons, and seven persons from the Executive Committee, elected officials, or county committee members (1 from each of the 5 Legislative Districts and 1 at large) selected by the County Chairperson for the purpose of considering candidates for public office seeking the nomination of the Democratic Committee of Bergen County at the county, state, and federal level at the appropriate Nominating Convention. Seven members of the committee shall constitute a quorum and the Committee may hold meetings in person, by electronic communication or a combination of both.

#### **Section 2: CANDIDATE SUBMISSION**

To be considered eligible, candidates must submit a letter of intent and a resume to the Credentials Committee during a period of submission beginning 60 days prior to the convention and ending 20 days before the Nominating Convention. In addition, candidates shall also provide the following:

- A. A petition provided by DCBC signed by thirty {30} members of the County Committee, Executive Board, and /or elected officials from not less than five (5) municipalities;
- B. A completed questionnaire provided by DCBC that must be signed that affirms that the candidate is a registered Democrat who meets the qualifications of these by-laws, will adhere to the procedures set forth in Article VIII for the Nominating Convention, and states whether or not he/she will oppose the endorsed candidate in a primary.



C. An applicant who does not comply with these provisions, provides false statements, or fails to disclose the information requested shall not be eligible for nomination as a candidate at the Nominating Convention. DCBC will email candidates' resumes to all available County Committee members' email addresses no later than 15 days prior to the Nominating Convention.

### **Section 3: CREDENTIALS COMMITTEE RECOMMENDATION**

- A. A candidate recommended by the Credentials Committee shall be deemed eligible to be nominated at the Convention and no further nomination process is necessary to be placed before the County Committee.
- B. Should no candidate be recommended for an office by the Credentials Committee or the recommendation withdrawn after the filing deadline and prior to the Nominating Convention, the Credentials Committee, in consultation with the Chair, may reopen the process as set forth in Section 2.
- C. The Credentials Committee may deny a recommendation to any prospective candidate who does not comply with the process and procedures set forth herein, who has publicly supported a candidate in a general election running against a Democratic candidate or whose candidacy is deemed not to be in the best interests of the Democratic party. When an issue is raised as to the qualifications of any prospective candidate, that person shall have an opportunity to address the Credentials Committee before a decision is made.
- D. The County Chairperson shall promptly report the recommendations for nominations of the Credentials Committee by email to the membership of the County Committee prior to the date set for the Candidates Night set forth in the Call to the Convention.

## **ARTICLE VII NOMINATING CONVENTION**

### **Section 1: CALL TO THE CONVENTION PROCEDURES**

**A. DATE OF THE CONVENTION:** Between March 1<sup>st</sup> and no later than the fifteenth day of March, Monday through Thursday after close of business, the County Chairperson shall set a date for the Nominating Convention to be held for the purpose of selecting candidates for the County, State Legislative, and Congressional offices on the ballot that year.

**B. THE CALL TO THE CONVENTION:** The County Chairperson shall issue the Call to the Convention four (4) weeks prior thereto via email and mail to each eligible voting member as specified herein setting forth the time, place, procedures, the date of the Candidates' Night, and the following order of business:

1. Voting Directions: Sign in and receive paper ballot or log in with electronic credentials;
2. Keynote Speech/Candidate Speeches
3. Nominators
4. Acceptance of Nominations
5. Election Results Announced

C. Pursuant to Article VI, section C, DCBC will email all candidates' resumes to all available County Committee members' email addresses no later than 15 days prior to the Nominating Convention.

D. All candidates seeking to be on the ballot at the Nominating Convention will receive a copy of the Nominating Procedures and a directory of Municipal Chairs, respective to their County, Legislative, or Congressional District, for the purposes of outreach to County Committee Members in the Candidate Submission Documents referenced in Article VI.

**E. CANDIDATES' NIGHT:** The Democratic Committee of Bergen County shall conduct a Candidate's Night to be held between the filing deadline and before the Nominating Convention.

## **Section 2: VOTING PROCEDURES**

**A.CERTIFICATION OF MUNICIPAL DELEGATES/ELIGIBLE VOTERS:**At least seven (7) days prior to the Nominating Convention, all Municipal Chairpersons must both have a majority of their County Committee members certify their list of delegates eligible to vote and must file the certified list with DCBC including names, addresses, email, and telephone numbers. Failure to provide said list within the time prescribed herein shall result in the disqualification of the municipality's delegates.

B. The list of all eligible voters shall be made available to all candidates five (5) working days prior to the Nominating Convention.

**C. ELIGIBLE VOTERS:** Eligible voting members shall have no more than one vote regardless of additional positions held and shall be:

1. All duly elected or appointed members of the County Committee who hold their seats at least seven days prior to filing deadline;
2. All members of the Executive Committee;
3. All Municipal Chairpersons;
4. All duly elected Democratic officials at the county, state, and federal levels who reside in Bergen County;
5. All Democratic Mayors and Members of municipal governing bodies in Bergen County including those Democratic Members of non-partisan governing bodies;

## **6. BONUS AND ALTERNATE DELEGATES**

- A. Bonus Delegates: a minimum of one bonus delegate shall be awarded to and chosen by majority vote of the Municipal Committee of each municipality for each 1,000 votes and any portion thereof received by the combined average of the Democratic Commissioner candidates and the Democratic general assembly candidates in the last preceding general election at each respective level.
- B. Alternates: may be chosen equal to twenty-five (25%) of the municipal delegation rounded off to its next highest number and may vote only if the Nominating Convention is conducted by in person voting without an electronic option.

**7. VOTING:** Voting shall be by paper ballot and/or by electronic means to be determined by the Chairperson. Each voting delegate shall present identification to receive a ballot for in-person voting or shall log in with credentials provided by DCBC for electronic voting.

**Section 3: NOMINATING CONVENTION RULES:** All candidates who submit themselves to the Nominating Convention shall agree in writing as per Article VI to abide by the rules of the Nominating Convention and the outcome of the election results as set forth below.

- A. **NOMINATIONS**: Nominations shall be made in accordance with Article VI, Section 4, and no nominations shall be made from the floor of the Nominating Convention unless no candidate for office has been nominated.
- B. **QUORUM**: For the results of the Nominating Convention to be deemed valid and binding, the number of votes cast, whether electronically or in person, must be equal to 50% percent plus one person of the total membership of the County Committee, excluding vacancies in the Committee.
- C. **VALIDITY OF ELECTION RESULTS**: The candidates who receive the highest number of the votes cast shall be given the Democratic Committee of Bergen County Party designation on the official Bergen County Primary Election Ballot in the order of the votes received for the particular office.
1. Where more than one position exists for a particular office such as Commissioner and Assembly, and a tie occurs the County Chairperson shall determine ballot order.
  2. Where only one position exists for a particular office and a tie occurs, a run off election will be held within 7 days with the notification of candidates and eligible voting members within 24 hours.
- D. **ARBITRATION COMMITTEE**: The County Chairperson shall appoint a three (3) person Arbitration Committee to hear and decide all issues and disputes presented to the during the course of the Nominating Convention.
- E. **FAILURE TO SELECT CANDIDATES**: In the event no candidates are selected for a particular office prior to the Nominating Convention for any reason, such selections shall be made by the Candidate Credentials Committee who shall make their recommendations to the County Chairperson.
- F. **CANDIDATES' SPEECHES**: Whenever there shall be a contest for selection of any candidate, each candidate shall be afforded five minutes during the Convention to address the membership of the County Committee, however this section shall not prevent a member of the County Committee or other voting delegate from casting a ballot prior to a candidate having addressed the membership.

#### **Section 4. STATE LEGISLATIVE AND CONGRESSIONAL CANDIDATE SELECTION**

All of the procedures set forth above and herein shall be applicable to the selection of State Legislative and Congressional Candidates with the following additions or exceptions:

- A. Eligible voting members shall be comprised of those delegates selected in accordance with Article VII, Section 2, who reside in the Municipalities within each of the respective legislative or congressional districts.
- B. The voting for the purposes of selecting State and Congressional Candidates shall take place during the Nominating Convention in the years when those respective offices are on the ballot.
- C. For the results for State Legislative and Congressional Candidates during the Nominating Convention to be deemed valid and binding, the number of votes cast, whether electronically or in person, must be equal to 50% percent plus one person of the total membership of the County Committee in each respective Legislative or Congressional District, excluding vacancies in the Committee.

#### **Section 5. COUNTY COMMITTEE BALLOT POSITION:**

Wherever and whenever there shall be more than (1) petition filed within a district for County Committee, the County Chairperson shall designate the ballot position.

## **ARTICLE IX :MEETINGS**

### **Section 1. ANNUAL MEETING:**

In accordance with Title 19, the Annual Meeting shall be held on the first Tuesday following the Primary Election in which County Committee Members are on the ballot, at an hour and place to be designated in a notice in writing to be mailed by the Chairperson to each member and member-elect. When such meeting day falls on a legal holiday then the said meeting shall be held on the day following, and when such meeting day falls on the day of a municipal runoff election within Bergen County then said meeting may be held on the day following. If the annual meeting coincides with a period of religious observance, the meeting may be held on another date, and under no circumstances shall that date occur later than the third Tuesday following the primary election.

- A. The Chairperson shall preside at the Annual Meeting and all meetings of the DCBC.
- B. Purpose: At the Annual Meeting the duly elected members of the DCBC shall elect the Executive Officers under the terms and conditions of Title 19 and in accordance with the procedures set forth in Article II.
- C. Eligible Voters: eligible voters for the Election of Executive Officers, adoption and/or amendments of the By-Laws, and passage of resolutions at the Annual Meeting is limited to the duly elected County Committee members of the DCBC.
- D. Notice Requirements and By-Laws: The Chairperson shall transmit a Notice of the Annual Meeting with a copy of the Constitution and By-Laws, resumes of Candidates for the Executive Board, and the Order of Business at least 15 days prior to the date of the Annual Meeting to all County Committee members.
- E. Order of Business-the Order of Business for the Annual Meeting shall be:
  - 1. Call to Order by the Sergeant at Arms
  - 2. Salute to the Flag
  - 3. Report of Credentials Committee
  - 4. Nomination of Executive Officers
  - 5. Candidates Speeches
  - 6. Election of Executive Officers
  - 7. Adoption of By-Laws
  - 8. Other Business
- F. **CANDIDATES' SPEECHES:** Whenever there shall be a contest for the election of any candidate, each candidate shall be afforded five minutes during the Convention to address the membership of the County Committee, however this section shall not prevent a member of the County Committee or other voting delegate from casting a ballot prior to a candidate having addressed the membership.
- G. **SUBMISSION OF RESOLUTIONS:** Proposed Resolutions may be submitted by a member of the County Committee in writing to the County Chairperson at least (30) thirty days prior to the date of the Annual Meeting accompanied by a petition signed by thirty {30} members of the County Committee, Executive Board, and/or elected officials from not less than five (5) municipalities.
  - 1. When any resolution is to be voted upon by the County Committee at the Annual Meeting, it shall be included in the Notice of Annual Meeting and the proponents of

the resolution shall be permitted a total of five minutes as a group to address the County Committee, however, this section shall not prevent a member of the County Committee or other voting delegate from casting a ballot prior to a being addressed.

2. A resolution shall be adopted by a two-thirds (2/3) vote of the elected members of the County Committee present and voting at the Annual meeting, whether in person, electronic, or a combination thereof, at which said resolution is considered.

**Section 2 . RULES OF ORDER:** Unless otherwise provided for in these by-laws or by statute, the Annual Meeting and all other Meetings shall be conducted and governed by Robert's Rules of Order.

**Section 3. BALLOTS:**

- A. At any meeting, convention, or caucus where a resolution, candidacy, or any other matter is to be decided by a vote of the County Committee using paper or other method of balloting, the ballot shall contain a statement specifically describing the subject of the vote.
- B. **BALLOT BOXES:** When any vote conducted pursuant to any provision in these Bylaws is conducted by use of secret ballot in person, representatives for or against any candidate or resolution shall be permitted to inspect the ballot boxes prior to the commencement of voting.
- C. When any vote is conducted pursuant to any provision in these By-laws by use of secret ballot in person, representatives for or against any candidate or resolution shall be permitted to be present during the counting of the ballots, but shall not interfere in the counting of the ballots.
- D. When any vote is conducted pursuant to any provision in these By-laws by use of secret ballot in person the secrecy of the ballot shall be maintained. No person handling any completed ballot shall reveal the contents of that ballot prior to its casting, and no delegate or member of the County Committee shall be asked to reveal the tenor of his or her vote.
- E. **ELECTRONIC VOTING:** When any vote is conducted pursuant to any provision in these By-laws by use of electronic voting, representatives for or against any candidate or resolution shall be provided all appropriate information regarding the safety and security of the balloting methods in utilized by the DCBC.

**Section 4.VOTING MACHINES:**

Notwithstanding any provision in these By-laws to the contrary, the use of voting machines shall be permitted for any vote or election at the discretion of the County Chairperson.

**Section 5. VOTE BY ACCLAMATION:**

Notwithstanding any provision in these By-laws to the contrary, the use of voting or election by acclamation shall be permitted for any vote or election in which candidacy is unopposed or an issue to be decided is uncontested.

**Section 6. SPECIAL MEETINGS:**

Special meetings may be held at any time upon the call of the Chairperson, upon the call of a

majority of the Executive Committee, or upon the written request of twenty (20) percent of the members of the County Committee addressed to the County Chairperson and the Secretary of the County Committee.

## **ARTICLE X: BY-LAWS AND AMENDMENTS**

Pursuant to Title 19, the members of Democratic Committee of Bergen County shall adopt a constitution and bylaws, ensuring fundamental fairness and the rights of the members in the governance of our party. It shall be posted on the DCBC website and a copy shall be provided to the County Board of Elections.

### **Section 1. EFFECTIVE DATES:**

These by-laws and amendments thereto shall become effective immediately upon adoption after a thirty (30) day comment period by two-thirds vote of the elected members of the County Committee present and voting at the meeting, whether in person, electronic, or a combination thereof, at which the adoption and amendment is considered.

### **Section 2. SUBMISSION OF AMENDMENTS:**

Any proposed amendment to these by-laws may be submitted by a member of the County Committee in writing accompanied by a petition in support signed by thirty {30} members of the County Committee, Executive Board, and /or elected officials from not less than five municipalities (5) to the County Chairperson at least (30) thirty days prior to the date of the meeting at which said a d o p t i o n a n d amendment is to be considered.

### **Section 3. REFERRAL TO COMMITTEE ON RULES, RESOLUTIONS, AND BYLAWS :**

The County Chairperson, upon receipt of such proposed amendment, shall appoint a Committee on Rules, Resolutions, and ByLaws and submit it for study and recommendation. The recommendation of said Committee shall be made in writing to the County Chairperson within thirty (30) days of said Committee's receipt of the proposed amendment.

### **Section 4. NOTICES:**

The proposed amendment shall be considered by the elected County Committee members after the complete text of the proposed amendment, the Committee on Rules, Regulations and By-Laws' recommendation, and the existing by-law section are disseminated to all County Committee Members via email and by a Notice for a Meeting sent at least 15 days prior to the date of at which said a d o p t i o n a n d amendment is to be considered.

### **Section 5. ADOPTION:**

An amendment shall be adopted by a two-thirds (2/3) vote of the elected members of the County Committee present and voting at the meeting, whether in person, electronic, or a combination thereof, at which said amendment is considered.

### **Section 6. COPIES OF BY-LAWS**

- A. Any person elected or appointed to membership on the County Committee pursuant to R.S.19:5-2 may request, in writing and by certified mail to the Chairperson, such constitution or bylaws currently in effect. The committee member requesting the constitution or bylaws shall receive the constitution or bylaws within 48 hours of the receipt of the request.
- B. The Chairperson shall provide a copy of the constitution and bylaws to any committee member appointed pursuant to R.S.19:5-2 to fill a vacancy within three business days of the committee member's selection.
- C. This Constitution and By-Laws shall be posted on the DCBC website and a copy shall be provided to the County Board of Elections.

Witnesseth:

County Chairperson

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Conor Gorman, EXECUTIVE DIRECTOR

Paul Juliano

The undersigned Parliamentarian of the Bergen County Democratic County Committee hereby certifies the above by-laws to be adopted at a meeting of the County Committee held on

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