

Allegany County Democratic Committee By-Laws, Rules and Regulations

ARTICLE 1: Name

Section 1: The name of this organization shall be the "Allegany County Democratic Committee", hereinafter referred to as the "County Committee".

ARTICLE 2: General Provisions

Section 1: The purposes of the County Committee are to promote, support and defend the principles of the Democratic Party locally and to support the State and National Parties or organization by volunteerism, and to provide financial aid when possible.

Section 2: There shall be no discrimination in the Allegany County Democratic Party against any person on account of age, gender, race, religious creed, sexual preference, disability, ethnic identity or economic status.

ARTICLE 3: Membership

Section 1: The County Committee shall be made of two (2) enrolled members of the Democratic Party from each election district of said County, hereinafter called County Committee Person(s). Each County Committee person shall be an enrolled Democrat, a resident of the county and be an elector of the political subdivision (election district) or Assembly District in which they serve. (Election Law 2-104)

Section 2: Said County Committee, shall have full charge of all campaigns, (except for the election of the town or village officers), in the County, as well as the determination and final settlement of all questions and disputes arising, which in any way affect the welfare of the Democratic Party, whether herein expressly provided or otherwise.

ARTICLE 4: Terms of Office

Section 1: County Committee members shall be elected biennially at the primary election as provided in Article 2 of the Election Law. Their term of office for each County Committee Person shall commence with their election at such primary. Each County Committee Person shall hold office until the next biennial primary election at which member of the County Committee is elected.

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Section 2: If a vacancy occurs on the County Committee, the County Committee may fill the duration of said term with a person meeting the residency requirements of the Election Law.

Section 3: County Committee officers shall be elected at the organizational meeting provided for in Article 5. Their term of office for all officers shall commence with their election. All officers shall continue to hold their office until the Organization Meeting is convened as provided for in Article 5, Section 3, except the retiring Secretary and successor Parliamentarian are elected at such Organization Meeting.

Section 4: When a vacancy occurs in the office of any County Committee officer, such vacancy shall be filled by vote of the members of the County Committee for the unexpired term of such office. Such vote shall take place at a meeting of the County Committee called for such purpose, and shall occur within thirty (30) days of the occurrence of the vacancy.

ARTICLE 5: Organizational Meeting

Section 1: There shall be a regular biennial organizational meeting of the Democratic County Committee which shall be held on the last Wednesday of September after each Primary at which the County Committee Persons are elected, or within twenty (20) days following the Primary Election if the Primary Election is held other than on the second Tuesday of September: The provisions of the New York State Election Law shall control and take precedence over these By-Laws. This meeting shall be held for the purpose of organizing said County Committee by the election of its officers and for the purpose of transacting such other business as may come before said County Committee.

All officers of the County Committee must be enrolled members of the Allegany County Democratic Party, but need not be members of the County Committee. (Election Law 2-112(2))

Section 2: The conduct of the organizational meeting under Robert's Rules of Order shall be as follows:

- a. Call to order
- b. Pledge of Allegiance to the Flag
- c. Roll call of members in attendance
- d. Election of County Committee Chairperson

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- e. Election of other County Committee Officers (Vice Chair, Secretary, Treasurer, Parliamentarian)
- f. Fill vacancies of the County Committee
- g. Officers Reports, if any
- h. Executive County Committee Reports, if any
- i. Standing County Committee Reports, if any
- j. Special County Committee Reports, if any
- k. Old business
- l. New Business
- m. Appointment of New County Committees
- n. Elect 5 Executive County Committee Members (1 from each Legislative District)
- o. Announcements
- p. Adjournment

Section 3: Written notice of the biennial organizational meeting, including an agenda, shall be mailed to County Committee members at least 10 days prior to the date of such meeting by the Secretary of retiring County Committee. The Secretary shall call such organizational meeting to order and shall preside over such meeting until a Chair Person is elected.

Section 4: Within three (3) days following the organizational meeting, the Chair Person or his/her designee of the County Committee shall file with the State Board of Elections and the County Board of Elections a certificate stating names and addresses including a post office address of the members of the County Committee.

ARTICLE 6: Rules of Procedure

Section 1: The rules of procedure, which shall be followed by the County Committee, shall be ROBERTS RULES OF ORDER, REVISED.

ARTICLE 7: Officers

Section 1: The elected officers of the County Committee shall consist of a Chair Person, a Vice Chair Person, a Treasurer, a Secretary, and a Parliamentarian. All terms of office shall be for two (2) years or until the Organizational Meeting is convened as provided for in Article 6, Section 3, except the

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retiring Secretary and retiring Parliamentarian shall continue in office until a successor Secretary and successor Parliamentarian are elected.

ARTICLE 8: Officers Duties

Section 1: The CHAIR PERSON shall call and shall preside over all meeting of the County Committee, both regularly summoned and specially called when the occasion arises, preside at all Executive County Committee meetings; and shall be an ex officio member of all County Committees (such as Finance Committee, Election Committee, et al) and advise such committees when called upon to do so.

The Chair Person of the County Committee or his/her designee shall file with the Board of Elections not later than two (2) weeks before the first day in which designation petitions for a primary election may be signed, a statement of party positions to be filed by such primary at such primary election.

Section 2: The VICE CHAIR PERSON shall act as Chair of all meeting in the absence of the Chair Person and shall assist the Chair Person when called upon to do so. In the absence of both the Chair Person and Vice Chair Person a County Committee meeting will be presided over by the Secretary.

Section 3: The TREASURER shall receive, hold in trust, and keep a detailed account of all funds of the County Committee. He/she will be responsible for reporting all transactions to the County Committee at all meeting held by the County Committee. He/she will be responsible for filing the financial statements with the County Board of Elections and electronically with the State Board of Elections as prescribed by NYS Election Law. The Treasurer shall be a member of all Committees where finances are involved.

Section 4: The SECRETARY shall provide written notice to all members of meetings, keep accurate roll of members including their addresses and phone numbers, keep a true record of all proceedings of the County Committee meetings and read for all approval by the County Committee at its next meeting. He/she will be the custodian of all County Committee papers, keep a true record of Executive County Committee meetings and be a member of all committees for the purpose of

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recording proceedings. The secretary shall preside at all meeting in the absence of the Chair Person and Vice Chair Person.

Section 5: PARLIAMENTIAN-the duties of the Parliamentarian shall consist of advising the Chair Person or other officer presiding over any meeting regarding proper procedure to be followed at any meeting.

Section 6: STATE COMMITTEE PERSON(S) shall report to the members of the Democratic State Committee activities and meetings. He/she should interface with statewide candidates and communicate to the county committee for consideration of endorsement. He/she shall attend NYS Democratic Committee Meetings and vote as directed by the County Committee.

ARTICLE 9: Executive Committee

Section 1: The County Committee shall appoint an Executive Committee which shall consist of no more than 9 members including the Chair Person, Vice Chair Person, Treasurer, Secretary, 1 representative from each of the five (5) County Legislative Districts in Allegany County who shall be elected (not appointed) County Committee Members. The five County Legislative District Members shall be elected by the County Committee people of their respective Legislative District. The Party Parliamentarian will be ex officio but non-voting member of the Executive Committee. A majority of five (5) members shall constitute a quorum. A majority of members present shall also constitute the minimum affirmative vote to approve any matter by such Executive Committee. Each member of the Executive Committee shall be entitled to one vote on any question that may arise. Executive meetings shall be called by the Chair or a by a quorum in written notice to each member of the Executive Committee not less than 10 days before said meeting.

Section 2: The duties of the Executive Committee are as follows:

- a. Be the general advisory committee as to all party matters
- b. Conduct the affairs of the party between meetings of the County Committee
- c. Manage and direct all campaigns for the election of Democratic nominees for county, state and national offices
- d. Advise and meet with all other committees as may seem necessary

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- e. Review and evaluate all committee reports and establish operating budgets for each committee and officer, as necessary
- f. Perform duties in accordance with the provision of the Election Law of New York State
- g. Performs such other duties as the County Committee may determine and assign

Section 3: The County Committee shall appoint an Audit Committee consisting of three (3) County Committee persons who are not members of the Executive Committee, which shall annually review and inspect the Treasurer's books, records and accounts when periodic reports must be filed pursuant to the New York State Board of Election Law. This audit shall be conducted in the Month of June.

ARTICLE 10: Meetings

Section 1: Meetings of the County Committee shall be called by the Chair Person or by the Secretary of said County Committee if the Chair Person is at any time unable to do so. There shall be at least three (3) such meetings a year.

Section 2: A written notice of a meeting, or a special meeting as provided in Section 3 below, shall be mailed or electronically communicated to each member of the County Committee not less than ten (10) days before said meeting and the business to be transacted. No business other than that specified in such mailed notice may be conducted at such meeting. Electronic communication with County Committee members may only be used if the member has provided the Secretary and Chair Person with an electronic address and consented that such electronic address be used for communication purposes.

Section 3: A special meeting of the County Committee shall be called upon the written request of fifteen (15) or more members of the County Committee filed with the Chair Person or the Secretary within ten (10) days after such written request is filed with the Chair Person or Secretary. In the event of failure of the Chair Person to call a special meeting as requested in writing, fifteen (15) or more members of the County Committee may call a special meeting pursuant to Article 10, Section 2, above.

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ARTICLE 11: Quorum

Section 1: A quorum of the County Committee shall consist of not less than 20 members of the County Committee and no business shall be transacted at any meeting at which there is not present the required number of quorum.

ARTICLE 12: Voting

Section 1: A vote on any question before said County Committee shall be taken in any manner designated by the person chairing the meeting unless the manner of voting shall have been designated in the motion to bring the question before the County Committee, except the vote for the removal of a member shall be by secure ballot. A majority vote of the members present at a meeting shall be sufficient to carry any motion or resolution which may be legally made at such meeting except a motion for the removal of any member, which motion shall require two-thirds (2/3) vote of members present.

ARTICLE 13: Voting Power

Section 1: Each member of the County Committee shall be entitled to one vote and in addition thereto shall have one vote for each thirty (30) or majority portions of thirty (30) votes cast in the District which said County Committee person represents for the Democratic Candidate for Governor at the last preceding Gubernatorial Election

ARTICLE 14: Proxies

Section 1: No person shall act in place of, or represent any member of the County Committee as his/her proxy.

ARTICLE 15: Conventions

Section 1: The County Committee shall have the power at any time to call a general convention of the Democratic Voters of the County to ascertain the wishes of the People relative to any question that may arise.

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ARTICLE 16: County Committee Funds

Section 1: Neither the County Committee nor any members of the same shall have the right to use any funds belonging to the party, in its hands, to promote the election or defeat of any candidate for public office or party position at any official primary.

ARTICLE 17: Caucuses (Unofficial Primaries)

Section 1: No person shall participate in any unofficial primary or party caucus held for making party nominations or candidates for Town/Village officers, or for the election of candidates to a party position unless he is an enrolled party voter as shall appear from a transcript of the enrollment from the register of enrolled voters in effect on the date on which such caucus (Unofficial Primary) is held.

Section 2: All unofficial primaries shall be called and conducted in the manner as prescribed by the New York State Election Law.

Section 3: The Chair Person and Secretary of all unofficial primaries and town and village caucuses shall be elected by a plurality vote.

Section 4: At all unofficial primaries or party caucuses, the candidate receiving the highest number of votes for public office or for election to a party position shall be the nominee of his party for such office or shall be deemed elected to such party position.

Section 5: Every unofficial primary or party caucus shall elect a Committee of three persons whose duty it shall be to call and give notice of the next succeeding unofficial primary or caucus for the nomination of town or village officers, or for the election of candidates to a party position. Notice of any such unofficial primary or party caucus shall be given by said Committee or a majority thereof.

ARTICLE 18: Removal of Members

Section 1: No officer or member of the County Committee may be removed by the County Committee except upon recommendation of such action by the Executive Committee for disloyalty to the party, corruption in office or enrollment in another party. No officer or member of the County Committee shall be removed at any meeting of the County Committee unless notice in writing of the charge preferred against him/her shall be mailed or electronically communicated to him/her and to each

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member of the County Committee at least five (5) days before the meeting at which time the charges shall be heard and the vote taken. Any officer or member of the County Committee against whom charges are preferred shall have the right to appear in person or by an Attorney or other representative before the County Committee for the purpose of defending himself/herself against the charges. No officer or member of the County Committee shall be removed by less than two-thirds (2/3) vote of the members present at the meeting at which the question of removal can be properly voted upon. Any officer or member shall retain all rights as an officer or member of the County Committee as the case may be, until final removal. Voting upon any proposed removal of an officer or member shall be conducted by secret ballot by weighted voting as provided in Article 13.

ARTICLE 19: Town and Village Nomination Procedures

Section 1: The following County Towns shall use the "Caucus method" of making party nominations of candidates for town Offices: NONE.

Section 2: The following County Towns shall use the "petition method" for making party nominations for town offices: Alfred, Allen, Alma, Almond, Amity, Andover, Angelica, Belfast, Birdsall, Bolivar, Burns, Caneadea, Centerville, Clarksville, Cuba, Friendship, Genesee, Granger, Grove, Hume, Independence, New Hudson, Rushford, Scio, Ward, Wellsville, West Almond, Willing and Wirt.

Section 3: The following County Villages shall use the "Caucus method" of making party nominations of candidates for village offices: Alfred, Almond, Andover, Angelica, Belmont, Bolivar, Canaseraga, Cuba, and Richburg.

Section 4: The following County Villages shall use the "petition method" for making party nominations for village offices: Wellsville and any Village Election that falls under the Allegany County Board of Elections

Section 5: The method of making party nomination in Town and Villages for Town and Village offices may be changed if the party officers for any Town or Village make a written request for such change to the County Chair Person and such matter is brought to a vote by the County Committee at a regularly called meeting of the County Committee, and approved by the County Committee. The County Committee has authority to change all towns to caucus or petition.

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ARTICLE 20: Amendment to Rules and regulations

Section 1: The rules and regulations of the County Committee may be amended only by a two-thirds (2/3) vote of all members of the County Committee present after a notice of the proposed amendment and of the meeting at which it will be presented, has been mailed or electronically communicated to all County Committee Members at least ten (10) days before the date of said meeting, and filed in the office of the Custodian of Primary Records, at least three (3) days before the date of the meeting.

ARTICLE 21: Repeal of Previous Rules and Regulations


Section 1: The foregoing Rules and Regulations shall be in effect immediately following their approval when duly dated and signed by the Chair Person and Secretary, and filed with the State Board of Elections and Allegany County Board of Elections in the manner provided for in the New York State Election Law.

Adopted: April 30, 2008

Revised & Adopted: October 17, 2013



Chair Person



Secretary

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