

MONROE COUNTY
DEMOCRATIC EXECUTIVE COMMITTEE

BYLAWS

Adopted: September 29, 2009

ARTICLE I - NAME, POWERS AND PURPOSE

Section 1. Name:

The name of this organization shall be the Monroe County Democratic Executive Committee, hereinafter referred to as the DEC.

Section 2. Powers:

The DEC shall be the governing body for the Democratic Party in Monroe County and shall perform such duties as are allowed for not-for-profit organizations and as are specified for county executive committees by Florida Law and for County Democratic Executive Committees by the Charter and Bylaws of the Florida Democratic Party, and these Bylaws.

Section 3. Purpose:

The Purpose and mission of the DEC shall be:

- * To promote democrats to elected local, county, state, and national office, to afford all members of the Democratic Party full, timely, and equal opportunities to participate in decisions concerning the selection of Democratic candidates, the development of Democratic programs and policies, and the conduct of other Democratic affairs in Monroe County.

- * To coordinate Florida Democratic Party affairs in Monroe County.

- * To seek out Democratic candidates to run for public office and provide them with assistance and financial support when available.

- * To encourage the organization of Democratic Clubs composed of Democrats registered to vote.

* To foster and increase participation in the Democratic Party by young registered Democrats.

* To promote the countywide election of DEC members regardless of race, creed, color, sex, sexual orientation, age, national origin, physical disability, or economic status, appointing additional members to achieve equitable representation of all persons, groups and areas.

* The DEC shall not make an endorsement in any race, whether partisan or non-partisan, where more than one Democrat is running for the same public office.

ARTICLE II - DEC MEMBERSHIP

Section 1. Elected Members:

(a) Members of the DEC shall qualify and be elected to office at such times and in such manner as prescribed by Florida Statutes and the Charter and Bylaws of the Florida Democratic Party.

(b) Elections shall be conducted using the "Precinct System" established by the Bylaws of the Florida Democratic Party.

Specifically the Bylaws of the Florida Democratic Party state:

"1.1.2 Precinct System: The elected membership of the county Democratic Executive Committee 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 precinct they are to represent. Should the Democratic registration of any precinct total more than one thousand (1,000) as of January 1st of a year in which qualifying for election to county Democratic Executive Committee occurs, an additional one (1) man and one (1) woman are entitled to be elected 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 Democrats or when new precincts are created, additional county Democratic Executive Committee positions may be created. Such positions shall be filled by the county Democratic Executive Committee according to its procedure for filling vacancies."

(c) Elected members of the DEC shall take office on the first day of the month following each presidential general election and shall serve for a term of four (4) years. Such members may be reelected or, upon resignation or expiration of their term, be appointed as a member of the DEC in accordance with these Bylaws.

(d) Any elected member who moves from the precinct in which elected to another precinct in which a vacancy does not exist shall be appointed as a "special at-large member" for the duration of the term to which elected, retaining the full privileges accorded to elected members, but not to be counted against the total number of appointed members.

Section 2. Appointed Members:

(a) Membership of the DEC may include appointed members in addition to the elected members. They shall qualify and be appointed to office at such times and in such manner as prescribed by the Charter and Bylaws of the Florida Democratic Party.

(b) Appointed members shall serve at-large and enjoy all voting and other privileges and responsibilities of membership. Appointed members shall be registered Democrats residing in the County. Appointed members shall be appointed by the chair and approved by a majority of the county DEC members present and voting.

(c) Appointed members shall serve for (1) one year, commencing with the date of appointment, but expiring not later than the commencement of the organizational meeting prescribed by these Bylaws. Such members may be reappointed or, upon resignation or expiration of their term, seek election as a member of the DEC in accordance with these Bylaws.

(d) Selection of such appointees shall serve to achieve balance in the minority, demographic, economic, geographic, and political representation within the DEC.

(e) Special At-large Status: Special At-large Status members shall be selected pursuant to the terms and as prescribed by the Charter and Bylaws of the Florida Democratic Party (Article V, Section 1.3.3).

(f) Precinct Committee People can also be appointed for 1 year, potentially renewable, terms, with a majority vote of the DEC members present at a meeting.

Section 3. Vacancies:

(a) Any vacancy on the DEC shall be filled by action of the DEC as soon as possible in accordance with Florida Statutes as well as the Charter and the Bylaws of the Florida Democratic Party.

(b) A seat shall be deemed vacant when a member accumulates three (3) unexcused absences in any one (1) calendar year. Members who expect to be absent for good and sufficient reason shall submit or make prior notification to be excused. An absence is excused for reason of illness, business, out- of-town or other reasonable excuse, with prior notification to the chair or an officer.

(c) Absences can be considered non absences 1) by having a proxy attend, to vote and give necessary reports in the members place, (the written proxy need not be witnessed or notarized if the proxy is not voting) 2) by providing the DEC chair or secretary with a written report of precinct activity at least 3 days prior to the meeting, or 3) by joining the meeting via phone or other form of instant communication.

(d) Members who have more than three (3) excused absences or who use more than three (3) proxies within a calendar year shall be referred to the Membership Committee for investigation and report to the DEC concerning removal or retention. If they are actively engaged in committee work or precinct organizing they should be retained, if they are not actively engaged they should be removed.

Section 4. Removal:

(a) Any member of the DEC may be removed and such member's seat declared vacant upon two- thirds majority vote of the entire membership at any meeting where a quorum is present. Any member who is the subject of a removal vote shall be given at least ten (10) days written notice that he or she will be the subject of a removal vote at the forthcoming meeting.

(b) The removal shall be for cause including, but not limited to, malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, violation of the terms of the loyalty oath, or conviction of a felony involving moral turpitude.

Section 5. Automatic Members:

(a) All members of the state Legislature who are residents of Monroe County and registered Democrats shall, and all other elected public officials who hold partisan office and are registered Democrats in Monroe County may, automatically be members of the DEC during their terms of public office. Democrats elected to nonpartisan office may become automatic members upon signing a loyalty oath. Such membership shall be separate and apart from the elected memberships or the appointed memberships. All members who are public officials shall be entitled to the same membership privileges accorded all other members except holding elected office of the DEC.

(b) The Chairs or Presidents of all Local Democratic Clubs and Caucuses in good standing shall automatically be members of the DEC during their terms of office. Such membership shall be separate and apart from elected memberships or appointed memberships. All such presidents shall be entitled to the same membership privileges accorded all other members except holding elected office of the DEC.

(c) Automatic members shall not be required to meet attendance requirements and shall not be computed when determining a quorum of the DEC.

Section 6. Responsibilities:

(a) All members, elected, appointed, and automatic, shall execute by written oath or affirmation the loyalty oath in the form included in the Bylaws of the Florida Democratic Party before taking office.

(b) All members are encouraged to serve on at least one Committee of the DEC, to communicate and meet with registered Democrats in the precinct represented, to participate actively in voter education and registration and become involved in other activities of the DEC.

ARTICLE III - MEETINGS

Section 1. Organizational Meetings:

(a) Within thirty (30) days after the elected members of the DEC take office, a meeting shall be called the Chair of the DEC for the purpose of organization of the DEC in accordance with the Charter and Bylaws of the Florida Democratic Party.

(b) The incumbent Chair shall preside at such organizational meeting until the election of the successor to such office, who shall then assume office as the new chair and preside over the remainder of such organizational meeting.

(c) Agenda: The organizational meeting shall be called to order by the county Democratic Executive Committee chair who shall then assume the chair. The order of business shall be as follows:

1. Pledge of Allegiance
2. Roll Call
3. Credentials Report
4. Elect Chair
5. Elect 1st, 2nd, and 3rd Vice Chairs
6. Elect Secretary
7. Elect Treasurer
8. Elect State Committeewoman
9. Elect State Committeeman
10. Election of other officers

Section 2. Regular Meetings:

(a) Regular meetings of the DEC shall be held once a month. Notice of the meetings shall be sent to the members at least ten (10) days prior to the meeting and shall state where and when the meeting will be held.

(b) Upon majority vote by the membership present, future meetings may be canceled provided that the DEC shall meet at least once every calendar quarter. Chair may cancel or reschedule a regularly scheduled meeting in the event of an emergency or a conflict with a holiday. No more than two consecutive meetings may be canceled by the chair.

Section 3. Special Meetings:

(a) Special meetings of the DEC may be called by the Chair, or by petition signed by not less than thirty (30) percent of the members of the DEC to the Chair or to the State Committeeman or Committeewomen, at a place designated either by the Chair or the members petitioning for the meeting. A special meeting may also be called by a majority vote of the Steering Committee.

(b) Notice of any such meetings must be sent to all DEC members no later than ten (10) days prior to the intended meeting time and shall state the time and date of such meeting, the place such meeting will be held, and the purpose of such meeting. This stated purpose shall be the only business of such special meeting.

Section 4. Proxies:

Any member of the DEC who is unable to attend any meeting may execute a written proxy in accordance with the provisions of the charter and Bylaws of the Florida Democratic Party. Such proxy shall be sworn to before a notary, or, in the alternative, may be validated by two (2) registered Democrats signing as witnesses. Incomplete proxies shall be returned to the member issuing the proxy and that member shall be notified immediately by phone, email, or facsimile that the proxy is incomplete. Incomplete proxies will not be counted. The holder of the proxy shall be a qualified Democrat not a member of the DEC before which said proxy is presented. No person shall be permitted to hold more than one proxy.

Section 5 - Quorum:

(a) A quorum for the conduct of business at any meeting of the DEC shall be ten percent (10%) of the current membership. Proxies may not account for more than fifteen percent (15%) when computing a quorum.

(b) At the option of the Chair, the roll may be established by voice response or by signature of the member on a designated membership list that the Membership

Committee shall maintain in order to report the number of members present and proxies present at each meeting if called upon to do so.

Section 6. Agenda:

(a) At all regular meetings there shall be the following agenda:

1. Call to order
2. Pledge of Allegiance
3. Introductions (accompanied by sign in sheet)
4. Approve minutes & agenda
5. Reports (can but need not always include - treasurer, officers, committees, clubs, caucuses, projects)
6. Old and New Business

(b) The agenda may be changed or waived upon a two-thirds majority vote of the DEC members present and voting or at the discretion of the Chair, subject to objection by a majority of the members present and voting.

(c) The agenda should be sent to the membership at least seven (7) days prior to the meeting. No actionable (i.e. voting) items shall be placed on the agenda after this time. However, items for discussion may be added. Agenda items must be approved by the chair or a majority of the Executive Committee of the DEC.

(d) Spending items not already covered in the annual budget should have the same notice and agenda placement requirements as actionable items listed above.

(e) The draft agenda should be emailed to the Steering Committee for comment prior to becoming official and being sent to the membership.

Section 7. Rules of Procedure:

The current edition of "Robert's Rules of Order, Newly Revised" shall govern all questions of parliamentary procedure not specifically provided within these Bylaws. The DEC may, by a two-thirds (2/3) vote of those present and voting, adopt special rules to organize discussion and voting on resolutions brought before the DEC.

Section 8. 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 twenty (20) days following such meeting.

Section 9. Annual Steering Committee Meeting

Each year, prior to the March Meeting, but preferably before the January meeting the Steering Committee must meet to:

1. write a yearly plan and budget,
2. compare the actual to the projected budget of the prior year
3. evaluate progress made on the prior year's plan.

The findings of the prior year's budget and plan must be made public at the next DEC general meeting. The plan and budget for the new year must be discussed, and if necessary amended, before being voted on at the general membership meeting.

ARTICLE IV - OFFICERS

Section 1. Designation and Duties:

The following officers shall be elected by the DEC and shall perform the following duties:

(a) Chair:

1. Shall preside at all meetings of the DEC and conduct them in accordance with the Florida Statutes, the Charter and the Bylaws of the Florida Democratic Party, and these Bylaws.
2. Shall call each meeting to order only upon the appearance of a quorum, as provided by these Bylaws.
3. Shall make such committee appointments as authorized by these Bylaws, serve as ex-officio member on all committees, and, upon failure or refusal of the committee chair to do so, call a committee to meet for the conduct of its business.
4. Shall countersign checks over \$2,000.00 drawn on DEC funds and sign checks when the treasurer is unable to and require a full accounting of receipts and disbursements thereof.
5. Shall refer any questions for study, at his or her discretion, to an appropriate committee.
6. Shall be the official spokesperson for the DEC and represent it whenever necessary, a duty which he or she may delegate.
7. Shall perform such other duties as are provided by Florida Statutes, the Charter and Bylaws of the Florida Democratic Party, and these Bylaws.
8. Serve as Chair of the DEC Steering Committee;
9. Arrange for an annual audit of the financial records by qualified examiners who are not members of the County Committee;
10. Shall provide, within (30) days after taking office, and maintain an adequate bond. No bonds shall be released until all records have been transferred to the successors in

office and until all accounts have been audited and approved by the Steering Committee, which shall be done annually

(b) 1st, 2nd, and 3rd Vice Chairs:

1. Shall assist the Chair in the performance of such duties as may be requested by the Chair from time to time.
2. Shall act as Chair in the event of a vacancy in that office, with full powers as Acting Chair until such vacancy is duly filled.
3. Shall preside at all meetings of the DEC in the absence of the Chair and perform such other duties as may be assigned by the Chair or prescribed by Florida Statutes, the Charter and Bylaws of the Florida Democratic Party, and these Bylaws.

2nd and 3rd Vice Chair - have the same duties as the 1st Vice Chair - however these positions need not always be filled and should try to represent the lower, middle, and upper keys. Filling in for or replacing an absent Chair will fall to the 1st, then 2nd, and then 3rd Vice Chair. At least one of the Vice-Chairs must be the opposite sex of the chair, unless filling the unexpired term of either officer.

(c) Secretary:

1. Shall keep an accurate, complete, and permanent record of all proceedings of the DEC
2. Shall receive and file all correspondence, reports, voting tabulations membership rolls, attendance records, and proxies.
3. Shall mail notices of meetings and prepare copies of the minutes and other communications as requested by the Chair.
4. Shall maintain the accurate records of who the DEC members are and their meeting attendance.

(d) Treasurer:

1. Shall be the custodian of all DEC funds, receiving and depositing such funds in the manner prescribed in these Bylaws.
2. Shall disburse the funds of the DEC as authorized by the Executive Committee of the DEC.
3. Shall keep an accurate, complete, and permanent record of all receipts deposits, and disbursements of such DEC funds, verifying such records with the Chair each month, and making such records available to any member of committee of the DEC upon reasonable request submitted in writing.
4. Shall sign all checks drawn against DEC funds. All checks drawn for more than \$2,000.00 must be countersigned by the DEC Chair.
5. Shall present a written report of all receipts, disbursements, and the balance on hand at each regular meeting of the DEC

6. Shall perform such other duties as may be assigned by the Chair or prescribed by Florida Statutes, the Charter and Bylaws of the Florida Democratic Party, and these Bylaws.

7. Shall provide, within (30) days after taking office, and maintain an adequate bond as required by law. No bonds shall be released until all records have been transferred to the successors in office and until all accounts have been audited and approved by the Steering Committee, which shall be done annually

Section 2. Qualifications, Elections and Terms of Office:

(a) Any candidate for election as an officer of the DEC shall meet all qualifications set forth by the Florida Statutes, the Charter and Bylaws of the Florida Democratic Party, and these Bylaws for the position which he or she seeks.

(b) Elections of the Chair, the Vice Chairs, the Secretary, and the Treasurer shall be conducted at the organizational meeting of the DEC and at the first regular meeting of December two years after the organizational meeting, at which officers shall be elected by a majority vote of the DEC members present and voting, or voting by proxy. Election of officers shall be conducted in accordance with the provisions of the Florida Statutes and the Charter and Bylaws of the Florida Democratic Party and shall be the first item of new business at such meeting.

(c) Terms of office shall be for two years. All officers shall be eligible to succeed themselves.

(d) Upon election of a successor each officer shall promptly deliver to such successor all records of the DEC which such officer is responsible for.

Section 3. State Committeeman and Committeewoman:

(a) One man and one woman shall be elected from among the elected members of the DEC to serve as State Committeeman and State Committeewoman, respectively.

(b) The election of the State Committeeman and State Committeewoman shall occur at the organizational meeting of the DEC for a term of office of four (4) years, in accordance with the provisions of Florida Statutes and the Charter and Bylaws.

(c) The State Committeeman and State Committeewoman shall be accorded all of the honor and privileges of elected officers of the DEC. They shall represent the DEC at all scheduled meetings of the Florida Democratic Party and express the opinion and votes of the DEC in all matters.

Section 4. Additional Officers:

The Following officers may be appointed by the Chair to perform the following duties, such appointments expiring at such time as the Chair may direct but not later than the expiration of the term of the Chair who made such appointment.

(a) Parliamentarian: Shall interpret Robert's Rules of Order (latest edition), the Charter and Bylaws of the Florida Democratic Party, and these Bylaws for the operation of meetings of the DEC.

(b) Recording Secretary: Shall keep the minutes of the DEC meetings when appointed and shall submit such minutes to the Secretary for inclusion in the permanent records of the DEC.

(c) Sergeant at Arms: Shall encourage and maintain order at DEC meetings in order to promote the productive and efficient conduct of business.

Section 5. Removal:

Any officer may be removed from office in the same manner as the removal of a DEC member as outlined in Article II, Section 4, of these Bylaws.

An officer may not actively seek political office. Prior to running for elected office, a DEC officer must resign his or her office, though not his or her DEC membership.

Section 6. Vacancy:

In the event of a vacancy in an elected office, such vacancy shall be filled by majority vote of the DEC members present and voting at the next regular meeting. The election of officers shall be the first item of new business at such meetings, provided that at least ten (10) days notice of such election shall be given to each member of the DEC.

Special Procedures for Chair vacancy:

In the event of a vacancy in the office of county Democratic Executive Committee chair, a meeting to elect a new chair shall be held within forty-five (45) days of the vacancy. 15 days notice of the meeting shall be given to all members of the DEC. Notice of vacancy shall be sent by certified mail to the State Chair within ten (10) days of said vacancy. In the event that a vacancy in the office of county Democratic Executive Committee chair is filled by a person of the same sex as the county Democratic Executive Committee vice chair, or vice versa, the requirement that they be of the opposite sex shall be waived for the unexpired term.

ARTICLE V – COMMITTEES

Section 1. Steering Committee

The Steering Committee consists of the Chair, Vice Chairs, Treasurer, Secretary, State Committeeman and State Committeewoman. It shall also include the Chairs of Standing Committees and any additional Committee Chairs as may be designated; the Immediate Past DEC Chair; the Vice-chair Emeritus; and the Presidents or Chairs of the local clubs and caucuses. This is a permanent committee.

The Steering Committee shall assist the Chair in the planning and coordinating of the activities of the DEC. In the event of emergency business of the DEC, the Steering Committee shall have authority to act for the full Committee until such time as a meeting of the DEC can be held.

Minutes of the Steering Committee shall be kept and read at the next or following meeting of the DEC.

The Steering Committee may vote via email to address issues and spending in between meetings. General membership votes must be done at in person meetings, though individual members may vote via proxy or via phone.

Section 2. Young Democrats Committee.

This committee is dedicated to recruiting and supporting young Democrats with the understanding that the future of our party depends upon actively building political, social, and business connections between Democrats aged 41 years and younger. This committee will foster tolerance, inclusion, and active participation in local, regional, and state government.

The Young Democrats Committee shall consist of not more than ten persons (10) under the age of 41, appointed by the DEC. All appointees shall be approved by the DEC membership at any regular meeting of the DEC and shall serve at the pleasure of the DEC. The Young Democrats Committee chair shall be appointed by DEC Chair. This is a permanent committee.

Section 3. Affirmative Action Committee.

The Affirmative Action Committee shall work in conjunction with the Florida Democratic Party Affirmative Action Committee.

The Committee shall review the composition of the DEC, its officers and committees, and recommend to the DEC actions, including the appointment of new members, which will ensure equitable representation of all persons and groups as to political, minority, demographic, economic, and geographic consideration

The Affirmative Action Committee shall consist of not more than ten persons (10), appointed by the DEC. All appointees shall be approved by the DEC membership at any regular meeting of the DEC and shall serve at the pleasure of the DEC. The Affirmative Action Committee chair shall be appointed by DEC Chair. This is a permanent committee.

Section 4. Executive Committee

The Executive Committee of the DEC shall consist of the Chair, Vice Chairs, Treasurer, Secretary, State Committeeman and State Committeewoman. It shall also include the Chairs of Standing Committees and any additional Committee Chairs as may be designated.

Section 5. Additional Committees

Other ad hoc and permanent Committees may be formed as the DEC sees fit.

Article VI AMENDMENTS, BYLAWS, AND RULES/BYLAWS

Section 1. Bylaws:

The Bylaws of the Monroe County DEC shall provide for the governance of the affairs of the Monroe County Democratic Party.

Section 2. Adoption:

The Bylaws of the Monroe County DEC shall be adopted by two-thirds of the votes eligible to be cast by DEC members, provided no Bylaw may be voted upon without ten (10) days written notice of the proposed Bylaw adoption and meeting.

Section 3. Amendments:

The Bylaws may be amended by two-thirds (2/3) of the votes eligible to be cast by DEC members, provided no amendment may be voted upon without ten (10) days written notice of the proposed amendment and meeting.

Adoption of and amendments to the Bylaws must be voted on at a regularly scheduled monthly meeting. Ten (10) days notice of the upcoming vote, accompanied by access to the proposed bylaws and changes is required.

ATTACHMENT 1: PROXY FORM (1)

PROXY

I hereby appoint _____
as my proxy to

Attend the _____
meeting to be held on

_____, 20 ____ in

_____,

Florida, to vote on any and all matters and to do any and all acts
which I could be if Present.

Signed: _____ Date: _____

STATE OF FLORIDA

COUNTY OF _____:

Sworn to and subscribed before me on this, the _____ day of
_____, 20 _____, at _____,
Florida.

NOTARY PUBLIC

ATTACHMENT 2: PROXY FORM (2)

PROXY

I hereby appoint _____ as my proxy to

attend the _____ meeting to be held

on _____, 20 _____ in _____,

Florida, to vote on any and all matters and to do any and all acts which I could do if present.

Signed: _____ Date: _____

Witness Name and Address

Witness Name and Address

ATTACHMENT 3: LOYALTY OATH
Loyalty Oaths have to be notarized by a notary public
LOYALTY OATH

County of _____

State of Florida

I, _____, having been duly sworn, say, that I am a member of the Democratic Party; that I am a qualified elector of _____ county, Florida; that during my term of office, I will not support the election of the opponent of any Democratic nominee, I will not oppose the election of any Democratic nominee, nor will I support any non-Democrat against a Democrat in any election other than in judicial races; that I am qualified under the Constitution and Laws of the State of Florida and the Charter and the Bylaws of the Florida Democratic Party to hold the office I am seeking, or to which I have been elected; that I have not violated any of the laws of the State of Florida relating to election of the Charter and Bylaws of the Florida Democratic Party.

Signature

Sworn to and subscribed before me this _____ day of _____, 20_____

at _____ County, Florida.

Signature of Officer Administering Oath