

BAY COUNTY DEMOCRATIC PARTY

BYLAWS

PREAMBLE We, the members of the Bay County Party of the State of Michigan, establish and adopt these Bylaws of the Bay County Democratic Party, in order to provide for equal opportunity for access and full participation of all elements of society in all political and governmental processes.

ARTICLE I **NAME**

This organization shall be known as the Bay County Democratic Party. "Party" as used in these Bylaws, means the Bay County Democratic Party, unless specifically referenced otherwise. It shall consist of the County Executive Committee, the County Committee, and all members of the Michigan Democratic Party and all duly elected Democratic precinct delegates residing in Bay County.

ARTICLE II **PURPOSE**

The purpose of Bay County Democratic Party is to promote the philosophy of the Democratic Party and to elect Democrats who support this philosophy; and further, to unite and to aid in the activities of all Party members, precinct delegates, committees, officeholders, candidates and all other Democrats working to promote wide and active participation in the Democratic Party.

The Bay County Democratic Party shall be a non-profit organization and upon its dissolution, all assets and real and personal property of the Party and its committees shall revert to the benefit of the Michigan Democratic Party. No part of the income of assets of the Party shall inure to any of its members except for the reimbursement of actual expenses, reasonable compensation for services if the Party approves, or a contribution for electing a member to office if the Party so approves.

ARTICLE III **FUNDAMENTAL PRINCIPLES**

Section 1. All public meetings of Bay County Democratic Party at all levels shall be open to all members of the Democratic Party regardless of actual or perceived race,

color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

Section 2. No tests for membership in, nor any oaths of loyalty to, the Bay County Democratic Party shall be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of actual or perceived race, color, creed, sex, age, national origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance or disability.

Section 3. The time and place for all public meetings of the Bay County Democratic Party on all levels shall be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.

Section 4. The Bay County Democratic Party, on all levels, shall support the broadest possible participation without discrimination on grounds of actual or perceived race, color, creed, sex, age, notional origin, economic status, religion, ethnic identity, ancestry, marital status, sexual orientation, physical appearance of disability.

Section 5. The Bay County Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of County Democratic Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that all prospective and current members of the Bay County Democratic Party will be fully and adequately informed of the pertinent procedure in time to participate in each selection procedure at all levels of the Bay County Democratic Party organization.

Section 6. The Bay County Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all officers and representatives of the County Democratic Party. Such publication shall be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the County Democratic Party will have full and adequate opportunity to compete for office.

Section 7. Proportional voting shall be used in the election of delegates and alternates to any Convention, and members of the County Executive Committee.

Section 8. All rules and bylaws of the Bay County Democratic Party at all levels shall be consistent with the Rules of the Michigan Democratic Party and shall be available on request in writing to any member of the County Democratic Party.

Section 9. The unit rule is prohibited at all levels of the Bay County Democratic Party.

Section 10. No rule shall be adopted at any level of the Bay county Democratic Party which would require a person to cast a vote or be recorded as voting contrary to that person's judgment.

Section 11. On all questions of procedure not resolved by the Rules of the Michigan Democratic Party or these bylaws, the latest edition of Robert's Rules of Order shall be used.

Section 12. The Chairperson and Vice-Chairperson of any unit, Committee, Caucus or Convention of the County Democratic Party shall be of the opposite sex.

Section 13. Votes shall not be taken by secret ballot at any meeting of the Bay County Democratic Party at any level.

ARTICLE IV MEMBERSHIP

Section 1. Membership of the Bay County Democratic Party shall consist of all duly elected Democratic precinct delegates of this County, members of the Michigan Democratic Party residing in this County and the Democratic Committee, Executive Committee and Officers, all of whom must be members of the Michigan Democratic Party.

Section 2. Precinct delegates shall be apportioned and selected in accordance with the Rules of the Michigan Democratic Party.

Section 3. The Officers, Executive Committee and County Committees of the Bay County Democratic Party shall be selected in accordance with the Rules of the Michigan Democratic Party.

ARTICLE V MEETINGS

Section 1. The regular meetings of the Bay County Executive Committee shall be on the day and at the location designated in the meeting notice. At least five (5) days' notice shall be given of the date, time and place of the meeting. Notice may be given by mail, telegram, fax or email. A quorum shall exist at an Executive Committee meeting when a majority of the Executive Committee members are present.

Section 2. Special meetings of the Executive or County Committee may be called by a majority of the members of the Executive Committee or County Committee, respectively. At least five (5) days' notice shall be given of the date, place, time and purpose of the special meeting.

Section 3. Subject to the Rules of the Michigan Democratic Party and these Bylaws, all meetings shall be conducted according to Robert's Rules of Order (latest edition).

ARTICLE VI OFFICERS, EXECUTIVE COMMITTEE AND COUNTY COMMITTEE

Section 1. One third (1/3) of the Executive Committee shall automatically consist of the most recent Democratic nominees for County-wide office, the County Commission, State House, State Senate and U.S. House, whose districts include all or part of Bay County. The County Convention shall elect the balance of the Executive Committee which shall consist of twice the number of automatic members. Each even-numbered year within twenty (20) days following the November election, the delegates to the County Convention shall convene at the call of the County Chairperson for the purpose of electing the Executive Committee. If a vacancy occurs in the position of delegate-elected member of the Executive Committee, the remaining delegate-elected members fill the vacancy.

Section 2. Officers shall be selected in accordance with the Rules of the Michigan Democratic Party within thirty (30) days of the election of the Executive Committee. The officers are a Chairperson, a First Vice-Chairperson of the opposite sex of the Chairperson, a Secretary and a Treasurer, who shall serve as officers of both the Executive Committee and County Committee.

Section 3. Within forty-five (45) days of January 1 of each odd-numbered year the Executive Committee determines the membership of the County committee. The County Committee can elect additional officers who in its judgment are proper to carry

out the purposes of the County Committee, and can fill a vacancy which may occur in the membership of the County Committee in any of its additional offices. Between meetings of the County Committee, the Executive Committee has all the powers and performs all the duties of the County Committee, including the filling of vacancies in nominations as prescribed by law.

Section 4. The Chairperson shall preside at all Executive and County Committee meetings, and have such other duties as are usual to the office of County Chairperson, or that may be required by this organization.

Section 5. The First Vice-Chairperson shall be a member of the opposite sex from the Chairperson. The First Vice-Chairperson shall assist the Chairperson in the discharge of his/her duties, and shall temporarily assume the duties and responsibilities of the Chairperson in his/her absence.

Section 6. The Secretary of this organization shall keep an accurate record and minutes of the proceedings of the meetings of the Executive Committee and County Committee. He/She shall keep and preserve all the books, documents, correspondence, records, minutes, effects, and any other property of this organization, and when a new Secretary is elected the past Secretary shall forthwith deliver to the newly elected Secretary all the aforesaid items kept and preserved during his/her tenure of office. He/She shall see that proper notification is given to the Executive Committee and County Committee of their meetings.

Section 7. The Treasurer shall be responsible for the financial receipts and disbursements of this organization subject to the approval of the Executive Committee. The funds of this organization shall be deposited in banks and shall be drawn upon only by checks signed by any two of the following officers: Chairperson, Secretary, and Treasurer. The Treasurer shall make financial reports to the Executive Committee as that Committee so directs and shall make them to all County Committee meetings. Yearly audits shall be conducted at the call of the Chairperson no later than March of each year. When a new Treasurer is elected, the past Treasurer shall forthwith deliver to the new Treasurer the funds and all the books and records kept during his/her tenure in office.

ARTICLE VII COMMITTEES

Section 1. The Chairperson, subject to the approval of the majority of the Executive Committee shall appoint the committees and committee chairpersons necessary for the work of the organization.

Section 2. Standing Committees shall include the following:

1. Rules and Bylaws Committee
2. Finance Committee
3. Candidate Recruitment Committee
4. Political Organizing Committee
5. Communications Committee
6. Policy and Resolutions Committee
7. Campaign Committee
8. Audit Committee

These committees shall include the appropriate subcommittees. The Chairperson of the County Party shall be an ex-officio member of all standing committees.

ARTICLE VIII ENDORSEMENTS

To promote fair treatment and equal opportunity for all Democratic Candidates, to prevent disunity and to avoid undue influence:

Section 1. In Primary and Non-Partisan elections, the Bay County Democratic Party shall not endorse candidates, except as provided in Section 3.

Section 2. When opposing candidates for Non-Partisan offices are members of the Bay County Democratic Party in General Elections, the Bay County Democratic Party shall not endorse candidates, except as provided in Section 3.

Section 3. Party member incumbents are automatically endorsed unless the Executive Committee denies the automatic endorsement by a two-thirds majority vote of the membership in attendance who signed at the meeting.

Section 4. The Bay County Democratic Party shall not endorse political candidates in contested nominations at Michigan Democratic State Conventions for state-wide

offices, unless the candidate is a member of the Bay County Democratic Party. In addition, the Bay County Democratic Party shall not endorse candidates for Michigan Party Offices or Executive Board positions, unless the candidate is a member of the Bay County Democratic Party.

ARTICLE IX OWNERSHIP AND UTILIZATION OF PARTY RESOURCES

To avoid disputes about the ownership and utilization of property and to assure the fair use of resources:

Section 1. Goods, commodities, data or services, purchased by, in part or whole, or donated to the Bay County Democratic Party, are entirely the property of the Bay County Democratic Party.

Section 2. All documents and data, created, recorded or compiled for or derived from Bay County Democratic Party activities are entirely the property of the Bay County Democratic Party.

Section 3. In the event the Party Chairperson requests the return of goods, commodities, data, documents, products of services or resources which are the property of the Bay County Democratic Party, the person to whom the request is made shall return the requested item(s) to the Party Chairperson within fourteen (14) calendar days of the request.

Section 4. Any member who does not fulfill the request of the party Chairperson shall be subject to disciplinary action by the Executive Committee of the Bay County Democratic Party.

Section 5. Disciplinary action, including removal from any elected and appointed position in the Bay County Democratic Party, shall be subject to reasonable cause and a disciplinary procedure conducted by the Executive committee of the Bay County Democratic Party in accordance with Robert's Revised Rules of Order (latest edition).

ARTICLE X REIMBURSEMENTS AND PAYMENTS

To operate with fiscal soundness, to exercise fiscal discipline and accountability, and preclude payment or reimbursement of unapproved item(s):

Section 1. Prior approval by either the Party Chairperson or Treasurer must be granted for reimbursement.

Section 2. With the agreement of both the Chairperson and Treasurer, the Election Committee Chair shall have the authority to purchase goods, commodities, data or services related to Campaign Headquarters operations and activities.

Section 3. Goods, commodities, data, or services donated by individuals to the Bay County Democratic Party are not subject for reimbursement. Expectations for payment or reimbursement by an individual for goods, commodities, data or services shall be clearly expressed in writing by the donor to the Party Chairperson or Treasurer and authorization for payment or reimbursement shall be subject to prior approval. Loans are not subject to this section.

ARTICLE XI ORDER OF BUSINESS

At meetings the business of the organization shall proceed in the following order:

1. Roll call of officers
2. Minutes of the previous meeting
3. Reports of officers
 - a. Chair
 - b. First Vice-Chair
 - c. Treasurer (financial report)
 - d. Secretary (correspondence)
4. Reports of committees
5. Unfinished business
6. Postponed business
7. New business
8. Adjournment

ARTICLE XII AMENDMENTS

Section 1. Proposals for changes or amendments to these Bylaws shall first be referred to the Rules and Bylaws Committee, which shall report its recommendations to the next regular County Committee meeting or special meeting called for that purpose.

Section 2. These Bylaws may be amended by a two-thirds (2/3) majority vote of the members of Bay County Democratic Party, present at a meeting, provided that written notice setting forth the proposed amendment has been given to all Party members at least two (2) weeks prior to the date of the meeting.

Section 3. These Bylaws shall be in full force and effect upon their adoption and shall supersede all bylaws, rules, motions and policies of a contrary nature, with the exception the Rules of the Michigan Democratic Party. In the event that any of these Bylaws shall be found to be inconsistent with the Rules of the Michigan Democratic Party or other applicable State Party policies (the "Rules"), the Rules shall prevail and these Bylaws shall be separable so that the invalidity of any portion of them shall not affect the remainder.

ARTICLE XIII DISSOLUTION

Section 1. The Bay County Democratic Party may be dissolved in accordance with procedures as specified in Article XIII of these Bylaws amending same.

Section 2. In the event of dissolution, the assets of the Bay County Democratic Party, after all debts, obligations and liabilities have been paid and discharged, shall be donated to the Michigan Democratic Party.

As amended June 1978

As amended, Tuesday, October 27, 2009

As amended, Tuesday, January 28, 2014

The undersigned Secretary of the Bay County Democratic Party hereby certifies that the foregoing Bylaws were adopted on Tuesday January 28, 2014, as the Bylaws of the Bay County Democratic Party, at a duly noticed meeting of the Party and in accordance with the provisions of the Bylaws of the Bay County Democratic Party and the Rules of the Michigan Democratic Party.

Kerice Basmadjian, Secretary