

Eaton County Democratic Party By-Laws

(Adopted November 21, 2019)

ARTICLE I. NAME

This organization shall be known as the Eaton County Democratic Party (**HEREINAFTER “ECDP”**).

ARTICLE II. PURPOSE

The purpose of the Eaton County Democratic Party is to unite and recruit all Democrats in Eaton County 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 precinct delegates, committees, candidates and all other Democrats, working to promote active participation in the Eaton County Democratic Party.

ARTICLE III. STATUTORY AUTHORITY

The provisions of the statutes of the state of Michigan and the rules of the Michigan Democratic Party and all amendments which may thereafter be made to said statutes and rules are hereby incorporated into these by-laws. In the event that any of these by-laws shall be found to be inconsistent with the provision of said statutes, rules or other applicable laws, the provision of said statutes, rules or laws shall prevail; and these by-laws shall be separable so that the invalidity of any portion thereof shall not affect the remainder.

ARTICLE IV. DEFINITIONS AND GENERAL PROVISIONS

Section 1. Definitions

- a) “Convention delegate” means a member of the Michigan Democratic Party who resides within Eaton County and is qualified to vote under new article.
- b) “County Committee” means the committee composed of designated Eaton County Democratic candidates and the individuals elected to the County Committee at the November County Convention of even-numbered years.
- c) “Executive Committee” means the committee consisting of the Chair, Vice-Chair, Treasurer and Secretary of the ECDP and any assistant officers that may be established
- d) “Party Office” means the officers—and members of the County Committee of the Eaton County Democratic Party.

Section 2. Nonprofit status, dissolution provisions

- a) The Eaton County Democratic Party shall be a nonprofit 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 or assets of the Party shall inure to the benefit of any of its members, except as reimbursement of actual expenses, reasonable compensation for services approved by the County Committee, or a contribution for electing a member to office who is endorsed by the ECDP.

Section 3. Party Membership and Participation

- a) Membership in the ECDP shall consist of all members of the Michigan Democratic Party residing in Eaton County. A financial contribution shall not be required to be or to remain a member.

ARTICLE V. VOTING PRIVILEGES

Section 1. Requirements

- a) Except as provided in section 2, in order to vote at any convention or meeting of the ECDP, a person must be a member of the Michigan Democratic Party for at least thirty (30) days prior to that convention or meeting.

Section 2. Exemptions

- a) Precinct delegates, Democratic elected officials and Democratic nominees to partisan offices are exempt from the thirty (30) day advance membership requirement. However, precinct delegates, democratic elected officials and democratic nominees to partisan offices must be a member of the Michigan Democratic party in order to vote at any convention or meeting of the ECDP. Former members of the Michigan Democratic party whose membership has lapsed in the thirty (30) days preceding any convention or meeting of the ECDP may renew their membership on the day of the convention or meeting and shall be permitted to vote on that day.

ARTICLE VI. OFFICERS AND ELECTIONS

Section 1. Election of the County Committee

- a. The members of the County Committee shall be chosen as provided in the Michigan Statutes governing County Committees [MCL 168.599 (1)] In each even-numbered year, within 20 days following the November election, the Convention delegates to the fall County Convention shall convene at the call of the County Chairperson for the purpose of electing the County Committee. The call will be sent to each convention delegate by Mail, Fax, or E-Mail at least fourteen (14) days before the date of the County Convention.
- b. The purpose of the convention is to elect persons equal to twice the number of candidates for county, state legislative and U.S. House of Representative offices for which Democratic candidates were nominated at the most recent fall Primary election for that office. Those persons, together with the persons most recently nominated by the Party for each of those offices shall constitute the County Committee of the Eaton County Democratic Party. The convention shall elect a temporary Chair and Secretary who will only serve for the duration of the Convention.
- c. The term of service of a County Committee will continue for two (2) years or until the selection of its successor. Immediately following the election of members of the County Committee, including the filling of vacancies, the secretary of the County Committee will certify the names and addresses, of persons chosen, to the County Clerk and to the Democratic State Central Committee.
- d. Following its election, the members of the County Committee may vote to expand the membership of the County Committee. These rules encourage the expansion of the County Committee for the purpose of achieving more participation and representation.
- e. Within 30 days following the convening of the fall County Convention, the County Committee shall meet to elect the officers of the ECDP. The notice of this meeting will be sent to each member of the County Committee by Mail, Fax, or Email at least seven (7) days before the date of the meeting. The officers shall be a Chairperson, Vice Chairperson of a different gender of the Chairperson, Secretary, and Treasurer. The County Committee will have the right to elect additional officers who in its judgement are proper to carry out the purposes of the County Committee, and will have the power to fill a vacancy which may occur in the membership of the County Committee or in any of its offices. The County Committee will have the power to fill vacancies in nominations as prescribed by law. Officers may also include elected assistants to each of the county officers as determined by the Chair. The officers elected by the County Committee shall take office January 1 in odd-numbered years and serve until December 31 of the next even-numbered year. They shall perform duties associated with their offices as provided by statute, the rules of the Michigan Democratic Party, these by-laws, and the rules of the ECDP.
- f. The County Committee shall recognize a vacancy in the position of delegate-elected member of the County Committee under the following circumstances: (1) resignation of a member evidenced by a signed letter to the Chairperson of the ECDP received from the member, (2) written or public notice of a member's death, or (3) verification from a county clerk that the person has changed his or her voter registration to a location outside the county.
- g. Filling vacancies in the County Committee. Vacancies in the elected membership shall be filled by the election of a replacement by the remaining members of the County Committee.

SECTION 2 Duties of the County Committee.

- a) The County Committee will:
 - a. Elect the officers of the ECDP and fill such vacancies as may occur.
 - b. Perform other duties required by statute or the rules of the Michigan Democratic Party.
 - c. Meet on a regular basis no less than nine (9) times per year.
 - d. Set policy for and conduct the business of the ECDP between county conventions.
 - e. Adopt the ECDP annual budget and provide amendments to that budget as necessary throughout the year.
 - f. Have the authority to amend the by-laws of the ECDP.
 - g. Approve Committee Chairs and Committee memberships appointed by the Chairperson as provided in these by-laws.
 - h. Meet at other times in special meetings upon the call of (a) the Chairperson, or (b) by a majority of the Executive Committee, or at least twenty (20) members of the County Committee.

Section 3. Duties of the Chairperson

- a) The Chairperson will:
 - a. Call meetings and prepare meeting agendum as provided in these bylaws.
 - b. Preside at all meetings when business comes before the ECDP.
 - c. Appoint chairs and members of standing and special committees as are required by these by-laws, subject to confirmation by the County Committee.
 - d. Decide whether a motion or resolution offered during a meeting shall be referred to a committee for further consideration, and if so, determine the committee to which it will be referred
 - e. Ensure that expenditures are made according to the requirements of the budget as established in these by-laws and approved by the County Committee.
 - f. Act as Chief Executive Officer of the ECDP. The Chairperson shall carry out activities necessary to further the goals and policies of the ECDP making sure they are consistent with these by-laws, statutes and the rules of the Michigan Democratic Party.
 - g. **Act as the Official ECDP spokesperson.**

Section 4. Duties of the Vice Chairperson

- a) The Vice Chairperson will:
 - a. Preside in the absence of the Chairperson and/or when the Chairperson finds it necessary to leave the Chair during a meeting.
 - b. In the extended absence of the Chairperson; a majority of the Executive Committee may appoint the Vice Chair to assume the duties of the Chairperson until the chairperson is able, in the opinion of the majority of the Executive Committee, to resume the duties of the office.
 - c. Other duties as assigned by the Chair

Section 5. Treasurer

- a) The Treasurer will:
 - a. Act as the official custodian of the funds of the organization; keeping funds in a manner approved by the County Committee; and recording the source and use of all moneys.
 - b. Be responsible for the payment of all bills that are authorized by the Chairperson or County Committee. The Treasurer shall see that expenditures are made according to the requirements of the budget as established in these by-laws, except the Treasurer may pay non pre-approved expenditures up to \$100.00 each or a total of \$500.00 subject to the approval of the Chairperson. Such expenditures shall become a line item of the Treasurer's report at the next regular meeting of the ECDP. Three officers shall be authorized to sign checks, the Treasurer, Assistant Treasurer or Chairperson.
 - c. Have an annual internal audit or reconciliation made of the financial records in December of each year, with a summary of the results reported to the Officers and the County Committee.

- d. Provide the members of the County committee with a monthly Treasurer's report. This report shall include, at a minimum, a report of the balance of all ECDP accounts, a report of all monies collected during the month covered by the report, a report of all monies spent during the month covered by the report. If the Treasurer is unable to present a report, it shall be delivered by the Assistant Treasurer or the Chairperson.
- e. Provide a quarterly budget update along with any budget updates needed to modify the budget.
- f. When a new Treasurer is elected, the past Treasurer shall deliver as soon as possible, to the new Treasurer, all financial records kept during his/her tenure of office along with credit cards, account information, passwords, pin numbers associated with the accounts of the County Committee
- g. The Treasurer of the ECDP may act as Treasurer of a Political Party Committee established by the Executive Committee.
- h. The bonding requirements, if any, shall be determined by the Executive Committee at the beginning of the calendar year.

Section 6. Duties of the Secretary

- a) The Secretary will:
 - a. Keep a record, prepare, and distribute minutes of all meetings of the Executive Committee, the County Committee and the ECDP Officers
 - b. Distribution of minutes shall be as determined by the County Committee.
 - c. When approved, the minutes shall become the official record of the body approving the minutes and shall be made available to the membership.
 - d. Prepare and keep a record of the membership of all ECDP committees.
 - e. Give notice of the meetings of the Executive Committee, the County Committee, and the Officers.
 - f. See that all records produced during his/her term are maintained and made available to officers and others designated by the officers, according to policies established by the County Committee.

Section 7. Assistant Officers

- a) Assistant Officers which shall be determined by the Chairperson and elected by the County Committee and will:
 - a. Provide support and consultation to the office to which they are assigned
 - b. Assist in providing continuity to the duties outlined for those offices.

Section 8. Officer Vacancies

- a) If the office of the Chairperson becomes vacant, the Vice Chairperson shall assume the office until a new Chairperson is elected.
- b) An election shall take place within 60 days following the creation of a vacancy in any office.
- c) Vacancies in any office shall be filled by the County Committee.

Article VII. Establishment of a Political Party Committee

Section 1. Creation of the Committee

- a) The Executive Committee may, by a majority vote, establish and maintain a political party committee as defined by the Michigan Campaign Finance Act, and conduct its activities as required by that Statute. The treasurer of the ECDP may be the treasurer of the Political Party Committee, and a record keeper may be named to record receipts and expenses and file required reports to the Bureau of Elections.

Section 2. Audit of campaign finance reports.

- a) All reports filed with the state of Michigan are available online for review by the Executive Committee, and any member of the Executive Committee may request review of receipts and expenses recorded between filings.

Section 3. Endorsement procedures.

- a) The County Committee shall establish criteria for making donations to candidates which shall reflect endorsement policies set by the ECDP.

ARTICLE VIII. BUDGET

Section 1. Creation of budget

- a) The Chair and the Treasurer, in consultation with other Officers, shall prepare a budget for one or two years, which the Chair shall distribute to the members of the County Committee after January 1 of odd-numbered years.
- b) The County Committee shall meet before March 31 of odd-numbered years and adopt a budget for either one or two years.
- c) In January of even-numbered years, the County Committee shall meet to review, amend and adopt the budget for that year.

Section 2. Fiscal Year

- a) The fiscal year of the ECDP shall be January 1 to December 31, except that in odd-numbered years, the ECDP shall operate on an interim budget approved by the newly elected officers until the final budget is adopted by the County Committee.

ARTICLE IX. MEETINGS

Section 1. Meeting Frequency.

- a) The Executive Committee shall meet at the call of the chairperson of the ECDP, and the County Committee shall meet at least nine (9) times each year on dates approved by the County Committee.

Section 2. Quorum.

- a) A quorum shall consist of the following:
 - a. For the Executive Committee a majority of officers currently serving.
 - b. For the County Committee at least fifteen (15) members currently serving.

Section 3. Proxies.

- a) Proxies shall not be given for any member of the ECDP except where provided by statute.

Section 4. Notice of meetings.

- a) Notice of the place and time of meetings of the County Committee shall be made in advance for all regular and special meetings by email, or mail if requested, website, Facebook, and twitter, to members of the committee. To the extent possible, notice will also be provided via publication in community newspapers.

Section 5. Resolutions.

- a) No anonymously proposed resolutions will be accepted by the Rules & By-laws Committee, the Policy and Resolutions Committee, the Executive Committee or County Committee, or at any County Convention. Only an Eaton County Democratic Party member, as defined in these by-laws, may propose a resolution for consideration.

ARTICLE X. COMMITTEES

Section 1. Appointment of Committees.

- a) The Chairperson, subject to the approval of the County Committee, shall appoint committee chairpersons and members as deemed necessary.

Section 2. Standing Committees.

- a) Standing committees shall be the following:
 - a. Membership & Outreach
 - b. Rules & Bylaws
 - c. Elections
 - d. Fundraising & Events
 - e. Audit
 - f. Policy and Resolutions
 - g. Communications & Website

Section 3. Special Committees

- a) Special committees may be established by the Chair. In establishing a special committee, the Chair will specify the subject matter to be covered by the committee, duration, and objective(s). Committee Chair and members are subject to the approval of the County Committee

Section 4. Committee Membership

- a) Membership in all committees shall be open to any current member of the Michigan Democratic Party in Eaton County.
- b) The Chair of the ECDP shall be an ex officio member of all standing and special committees.

ARTICLE XI. AMENDMENTS AND CONTINUING EFFECT OF THESE BY-LAWS

Section 1. Continuous Effect.

- a) These by-laws may be amended and are in continuous effect until repealed in their entirety or until the ECDP ceases to exist.

Section 2. Amendment process.

- a) These by-laws may be amended by approval of the County Committee. Proposed amendments may be included in the mailing for a meeting or presented at a meeting under New Business. A proposed amendment shall be referred to the Rules and By-Laws Committee for consideration and reported back to a meeting as an agenda item. At that meeting it may be discussed and referred to the next meeting as an agenda item to be voted on, or it may be sent back to the Rules and By-Laws Committee for further consideration along with any proposed amendments.

Section 3. Rules of the ECDP.

- a) The County Committee may adopt rules to govern the activities of the ECDP. These rules shall not conflict with these by-laws or applicable statutes or rules of the Michigan Democratic Party.

Section 4. Roberts Rules of Order.

- a) All matters not expressly covered by these by-laws, rules of the ECDP, statutes, or the rules of the Michigan Democratic Party, shall be governed by the most recent edition of Roberts Rules of Order, except that a person's prior vote will not affect that person's right to move to reconsider a vote.

Section 5. Submission of Amendments to the Michigan Democratic Party

- a) Any amendments to these by-laws shall be submitted to the Corresponding Secretary of the Michigan Democratic Party within 30 days of adoption.

ARTICLE XII. ENDORSEMENTS

Section 1. Referral of endorsements.

- a) Requests for endorsements shall be in writing and shall be referred to the Elections Committee. All endorsements shall require support of two-thirds of the County Committee members voting, except as provided in section 3.

Section 2. Endorsement process.

- a) The Elections Committee shall report their recommendation to the County Committee no later than two months after receiving a request for endorsement. If the committee fails to do so, a motion to endorse may be made at a County Committee meeting. Every attempt shall be made to inform members through the meeting notification process that endorsements are going to be considered at a meeting.

Section 3. Pre-primary endorsements.

- a) Pre-primary endorsements may be made only IN THE EVENT OF AN UNCONTESTED PRIMARY, OR in extraordinary circumstances, and shall require the support of three-fourths of the County Committee members voting.

Section 4. Extraordinary circumstances.

- a) In extraordinary circumstances, an endorsement motion may be brought before the County Committee without going through the committee process if there are no objections from the floor.

Section 5. Michigan Democratic Party membership required.

- a) Only those officeholders and candidates who are members of the Michigan Democratic Party shall be eligible to receive election assistance of any kind, including endorsement from the Eaton County Democratic Party. Nonpartisan races may be treated as an exception to this rule.