

# CONSTITUTION AND BY-LAWS OF THE MAHONING COUNTY DEMOCRATIC PARTY

As amended June 17, 2014



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# CONSTITUTION OF THE MAHONING COUNTY DEMOCRATIC PARTY

## Article I: Name and Membership

- 1.1 The name of this organization is the Mahoning County Democratic Party.
- 1.2 Voting membership is open to all Mahoning County residents who are elected or appointed precinct committee persons according to the laws of the State of Ohio and who support the Constitutions of the United States, the State of Ohio, the Ohio Democratic Party, and the Constitution and By-Laws of this organization.
- 1.3 Questions regarding any person's qualifications for membership, right to vote or eligibility for party office are determined by the Elections Committee.
- 1.4 No person's rights to membership or office in this organization shall be limited because of age, sex, sexual orientation, national origin, race, creed, religion or economic status.

## Article II: Officers

- 2.1 The officers of this organization shall include:
  - a. Chairperson
  - b. Secretary/Executive Vice-Chairperson
  - c. Executive Vice-Chairperson
  - d. Vice-Chairperson of Labor Relations
  - e. Vice-Chairperson of Minority Affairs
  - f. Treasurer
- 2.2 The duties of each officer are set out in the By-Laws.
- 2.3 The Chairperson shall assign those duties not specifically set out in the By-Laws.
- 2.4 The term for each office is four years.
- 2.5 The Secretary/Executive Vice-Chair must be of the opposite gender of the Chair.

## Article III: Election of Party Officers

- 3.1 The Chairperson, Secretary/Executive Vice-Chairperson, Executive Vice-Chairperson, Vice-Chairperson of Labor Relations, Vice-Chairperson of Minority Affairs, and the Treasurer shall be elected by the members of the Mahoning County Democratic Central Committee. These offices shall be known as elected offices.
- 3.2 Every person seeking an elected office must, within fourteen (14) days after the Mahoning County Board of Elections certifies the official results of the Primary Election, submit a nomination in writing for such office to the Chairperson of the Elections Committee. This written letter of intent must contain the signatures and addresses of at least five (5) Precinct Committee Persons. No Precinct Committee Person may sign more than one nominating petition for any of the officers.

- a. If a Precinct Person signs more than one nominating petition for the same office, the petition that is filed first shall be deemed to contain the valid signature. The second petition shall be deemed to contain an invalid signature.
- 3.3 Each nominee for the office of Chairperson shall be permitted to make a five-minute speech. Nominees for all other elected offices shall be permitted to make a three-minute speech.
- 3.4 The presiding officer of the biennial reorganization meeting shall not accept any nominations from the floor.
  - a. No proxy or unit voting is permitted.
  - b. This procedure is the only method that any person may use to seek an elected office in this organization.

#### **Article IV: Central Committee Vacancies**

- 4.1 In the event of the death, resignation, disability or ineligibility of a Precinct Person, the Chairperson of this organization has the right to fill the vacancy. The District Leader in whose district the vacancy occurs shall be notified of the Chairperson's appointee.

#### **Article V: Political Districts**

- 5.1 Mahoning County shall be divided into the following Political Districts:
  - a. Youngstown 1<sup>st</sup> Ward District
  - b. Youngstown 2<sup>nd</sup> Ward District
  - c. Youngstown 3<sup>rd</sup> Ward District
  - d. Youngstown 4<sup>th</sup> Ward District
  - e. Youngstown 5<sup>th</sup> Ward District
  - f. Youngstown 6<sup>th</sup> Ward District
  - g. Youngstown 7<sup>th</sup> Ward District
  - h. Campbell District (Campbell and Coitsville)
  - i. Struthers District (Struthers and Lowellville)
  - j. Boardman District
  - k. Austintown District
  - l. Poland District (Poland Township and Village)
  - m. Southern District (Canfield City and Canfield Township)
  - n. Eastern District (New Middletown, New Springfield and Beaver)
  - o. Western District (Smith, Goshen, Sebring, Beloit, Green and Washingtonville)
  - p. Northwestern (Lake Milton, Craig Beach, Ellsworth, Berlin and North Jackson)
- 5.2 The Precinct Committee members representing each of the above Districts shall meet at any time between June 1<sup>st</sup> and August 31<sup>st</sup> every four years to elect a District Leader and Assistant District Leader for their District. The District Leader and Assistant District Leader must be a Precinct Committee Person from that District.
- 5.3 An officer of this organization may not serve as a District Leader.

- 5.4 The District Leader supervises the activity of all Precinct Committee Persons in his or her political District and presides over all meetings of the Precinct Committee Persons of his or her District.
- 5.5 The Chairperson may remove a District Leader for any act that constitutes a violation of this constitution or for any gross violation of the principles of the Democratic Party. This removal must have the approval of a majority of the officers of this organization, and can only take place after the District Leader in question has been granted a hearing. Upon the removal of a District Leader, the Assistant District Leader shall take over the duties of the District Leader until a new District Leader is elected.
- 5.6 Upon the removal, resignation or death of a District Leader, the Chairperson must convene a meeting of the Precinct Committee People representing the District in question. The Chairperson shall supervise the election of a new District Leader or Assistant District Leader. Prior to said meeting, the Chairperson shall appoint a member of said District to the vacant position.

### **Article VI: Committees**

- 6.1 The Party Chairperson or a majority of the Precinct Committee People has the right to create and appoint any Committees as may be deemed necessary to conduct the business of this organization or to deal with areas of concern to Mahoning County.
- 6.2 Membership and participation on Committees is not limited to Precinct Committee People.
- 6.3 A person may serve on more than one Committee, but no one may serve as chairperson or co-chairperson of more than one Committee.
- 6.4 There is no limit to the number of members on each Committee.
- 6.5 The Chairperson may remove any individual from the position of District Leader, Assistant District Leader, Executive Committee, or any other committee if said individual circulates an Independent or Republican petition for Candidacy to any elected office.

### **Article VII: District Leaders Council**

- 7.1 There shall be a District Leaders Council.
- 7.2 All officers are voting members of the District Leaders Council, should votes need to be taken. These meetings shall, however, primarily be conducted to set the agenda of the Democratic Party and to share ideas and priorities.
- 7.3 All District Leaders and Assistant Leaders are voting members of the District Leaders Council.
- 7.4 The District Leaders Council shall meet at least twice a year.

## **Article VIII: Endorsement of Candidates**

- 8.1 The Mahoning County Democratic Central and Executive Committees shall meet no later than twenty-one (21) days subsequent to the legal deadline for the filing of nominating petitions for public office for the purpose of endorsing those candidates for nomination that its members believe are most qualified to serve and who have proven themselves dedicated to the principles of the Democratic Party.
- 8.2 In order for an aspirant for endorsement by the Democratic Central and Executive Committee to have his/her name considered for endorsement by the committee, he or she shall comply with the following procedure:
- a. He or she must submit a written request for consideration for endorsement to the chairperson of the Elections and Candidate Endorsement Committee naming the office and term of office sought in the time frame designated by the Elections and Candidate Endorsement Committee.
  - b. The written request set out in subsection 8.2 (a) must be accompanied by a written, signed pledge that the aspirant; if endorsed by this committee, the candidate will abide by the Constitution and By-Laws of the Mahoning County Democratic Central and Executive Committees.
  - c. The Chairperson shall accept no nominations for endorsement on the floor.
  - d. Each candidate for endorsement shall be permitted three minutes to address the Mahoning County Central and Executive Committee in an effort to solicit their consideration and support.
  - e. The order for speeches will be by lot.
  - f. Equal access for campaigning will be assured for all candidates with floor campaign space being determined by lot and each candidate being permitted an equal number of supporters on the floor.
- 8.3 The Mahoning County Democratic Central and Executive Committee reserves the right and the power to reconsider any and all endorsements made by them at any time prior to the general election if an endorsed candidate violates Section 8.2 (b).
- 8.4 Members of this organization may vote for endorsement of only those candidates for office in the political subdivision in which the member resides.
- 8.5 Voting procedures for endorsement will follow majority vote procedure in Section 10.3 of the Constitution.
- 8.6 The vote on all endorsements and the filling of an existing vacancy in a public office shall be conducted and supervised by the Elections and Candidate Endorsement Committee and their decision on disputes or matters pertaining to the election of party officers, on the endorsement of aspirants for public office, or on applications for an existing vacant public office can only be overturned by a majority vote of the Central Committee.
- 8.7 The filling of vacancies in public office, created by death, resignation, or removal of an elected public official, shall be made in accordance and compliance with the provisions of

the Ohio Revised Code, The Elections and Candidate Endorsement Committee shall, under the supervision of its chairman of the Mahoning County Democratic Central and Executive Committee, set the time, place, methods of making application for said vacancy, all pursuant to the provisions of Ohio Law and this Constitution and By-Laws.

- 8.8 The endorsement procedure set out herein constitutes the sole procedure available to any aspirant for public office who seeks the endorsement of this organization.

### **Article IX: Filling a Vacancy in Public Office**

- 9.1 The filling of vacancies in public office, created by death or removal of the public official shall be made in accordance with the provisions of the Ohio Revised Code.
- 9.2 Each candidate for the vacancy shall have the opportunity to make a speech at the meeting. The Party Chairperson shall determine the order and length of each speech except that candidates for the same office shall be given an equal amount of time to speak.

### **Article X: Voting**

- 10.1 All matters acted upon by the Mahoning County Democratic Central and Executive Committee shall be by open vote and the results shall become a matter of public record.
- 10.2 In all elections where a majority vote is required by the Constitution of this Committee or by the Ohio Revised Code, the following procedure will be followed:
- a. After the votes are counted, the candidates receiving a majority (one more than half of the votes cast by the committee members present and voting) will be declared the winner.
  - b. If there are more than two candidates for a position and no candidate receives a majority vote, all candidates receiving ten per-cent (10%) or less of the total votes cast in that election shall be removed from the ballot and from consideration and another vote will be taken immediately.
  - c. If after the vote described in 10.2 b. there are still more than two candidates for a position and no candidate receives a majority vote, the candidate with the least number of votes shall be removed from the ballot and from consideration and another vote will be taken immediately.
  - d. The procedure stated in 10.2 c. will be continued until one candidate receives a majority vote and is declared the winner.
  - e. If there are two or more candidates who are tied with the least amount of votes, each of these will be removed from the ballot and from consideration. Exception: removal of candidates must never leave only one candidate remaining. If the procedure would result in only one candidate remaining, the last ballot with all the candidates' names will be used for the next vote.

## **Article XI: Notice of Meetings and Quorum**

- 11.1 Meetings of the Mahoning County Democratic Party may be called upon five days written notice to all members by the Chairperson.
- 11.2 Meetings of the Precinct Committee in each District may be called upon five days written notice to each Precinct Committee Person in that District by the District Leader or the Party Chairperson.
- 11.3 The Party Chairperson may call meetings of the District Leaders Council with at least two days' notice. Said notice may be made by mail or telephone.
- 11.4 A committee chairperson or the Party Chairperson may call committee meetings after providing two days' notice. Said notice may be made by mail or telephone.
- 11.5 One hundred members of this organization shall constitute a quorum for the transaction of business of the Mahoning County Democratic Party.
- 11.6 A majority of Precinct Committee Persons may call a special meeting upon request made in writing to the Chairperson. The Chairperson shall then call a special meeting and provide five days' written notice to all members of the Central Committee.

## **Article XII: Order of Business**

- 12.1 The Order of Business at the quadrennial reorganization meeting is:
  - a. Invocation
  - b. Call of the roll by the Secretary
  - c. Administration of oath to Committee Members
  - d. Election of temporary Chairperson
  - e. Election of temporary Secretary
  - f. Speeches by candidates for Party Chairperson
  - g. Speeches by candidates for Secretary/Executive Vice-Chairperson
  - h. Speeches by candidates for Executive Vice-Chairperson
  - i. Speeches by candidates for Vice-Chairperson of Labor Relations
  - j. Speeches by candidates for Vice-Chairperson of Minority Affairs
  - k. Speeches by candidates for Treasurer
  - l. Conduct of election of Party Officers
  - m. Old business
  - n. New business
  - o. Adjournment
- 12.2 The Order of Business at all meetings is:
  - a. Invocation
  - b. Roll call by Secretary
  - c. Reading of minutes of the previous meeting by the Secretary
  - d. Report by the Treasurer
  - e. Reports of Committees
  - f. Old business
  - g. New business/ Speeches and elections of Officers at the expiration of their terms
  - h. Adjournment

- 12.3 The Chairperson has the power to appoint a Sergeant-at-Arms, a Parliamentarian, and as many Assistant Sergeant-at-Arms as may be deemed necessary to conduct an orderly meeting.

### **Article XIII: Amendments to the Constitution and By-Laws**

- 13.1 Amendments to this Constitution and the By-Laws may be made at the biennial reorganization meetings after the election of Party Officers or at any special meeting called for that specified purpose at which a quorum is present.
- 13.2 In order to amend this Constitution or the By-Laws, the proposal to amend must have the affirmative vote of two-thirds of the quorum present.
- 13.3 Roberts Rules of Order shall be followed at all meetings in all circumstances not expressly set out in this Constitution and the By-Laws.

### **Article XIV: Executive Committee**

- 14.1 There is hereby created the Mahoning County Democratic Party Executive Committee to act at all times for the Central Committee when the Central Committee is not in session and when otherwise lawful. The Executive Committee includes the Party Officers and the Chairperson's appointees. The Chairperson shall appoint or remove members of said Committee at any time during his or her term.

### **Article XV: Blanket Article**

- 15.1 Nothing in this Constitution shall conflict with Ohio or Federal Law, but the illegality or unenforceability of any one clause shall not affect any other clause.
- 15.2 This Constitution supersedes any and all other previous Constitutions and By-Laws adopted by the Mahoning County Democratic Party, the Mahoning County Democratic Central Committee or the Mahoning County Democratic Executive Committee.

## **BY-LAWS OF THE MAHONING COUNTY DEMOCRATIC PARTY**

### **By-Law One: Duties of Party Officers**

- A. **The Chairperson.** The Chairperson shall preside at all meetings of the Mahoning County Democratic Party, sign the records thereof and perform such other duties as may be from time to time required by the members. The Chairperson shall be empowered to defray all expenses incident to this organization. The Chairperson shall have the duty to appoint an Executive Director and/or an Assistant Treasurer and/or any committee chairs.
- B. **The Secretary/Executive Vice-Chairperson.** The Secretary/Executive Vice-Chairperson shall perform the duties of the Chairperson in the case of death, disability, or resignation of the Chairperson. Upon the death, disability, or resignation of the Chairperson, the Secretary/Executive Vice-Chairperson shall succeed to and be invested with all the rights,

powers, duties and functions of the Chairperson for no longer than 30 days. Within 30 days of the death, disability or resignation of the Chairperson, the Secretary/Executive Vice-Chairperson shall call a special meeting of the Mahoning County Democratic Party for the specified purpose of electing a new Chairperson who shall serve out the remainder of the departed Chairperson's term.

The Secretary/Executive Vice-Chair shall keep the minutes of all proceedings of the Mahoning County Democratic Party, including meetings of the District Leaders Council, and make proper record of the same, which shall be attested to by him or her. The Secretary/Executive Vice-Chair shall be responsible for all correspondence dealing with officer matters and perform any other duties requested by the chairperson.

The Secretary/Executive Vice-Chair of the Mahoning County Democratic Party shall maintain and keep records of the attendance of all meetings of the District Leaders Council.

- C. **The Executive Vice-Chairperson.** The Executive Vice-Chairperson will act as the official liaison between the Central Committee and all Mahoning County Democratic Clubs and Organizations and perform any other duties assigned by the chairperson.
- D. **The Vice-Chairperson for Labor Relations.** This Vice-Chairperson must be an elected precinct committee person who is either an active or retired member of a recognized Labor Union. This Vice-Chairperson will act as liaison to all of the Labor Unions active in Mahoning County and shall explore all pertinent labor issues and develop solutions and programs relevant to labor issues.
- E. **The Vice-Chairperson for Minority Affairs.** This Vice-Chairperson must be an elected precinct committee person who is a minority. This Vice-Chairperson will act as the liaison with the Mahoning County minority community and explore all pertinent issues and develop solutions and programs relevant to these issues.
- F. **The Treasurer.** The Treasurer shall receive and have in his or her charge all money and other receipts of the Mahoning County Democratic Party and shall disburse the same only upon the order of the Chairperson. He or she shall keep accurate account of the money and all other assets received and disbursed. The Treasurer shall also perform such other duties as may be requested by the Chairperson.

## **By-Law Two: Duties of a Member of the Central Committee**

- A. Attempt to become personally acquainted with every family in his or her precinct and to advise them that he or she is available to service their complaints or suggestions.
- B. Register people in his or her precinct to vote.
- C. Supply absentee ballots to those voters in his or her precinct who would like to vote absentee.
- D. Support and promote the endorsed Democratic candidate running in the primary and the Democratic nominees in the General Election.
- E. Cooperate with the officers and District Leaders of the Mahoning County Democratic Party.
- F. Involve himself or herself in community issues and affairs as much as possible.