

Bylaws of the Oconee County Democratic Committee

ARTICLE I.—Name

§1.1. The name of this organization shall be the Oconee County Democratic Committee, hereafter to be referred to as the Committee. All members, officers, and subdivisions of the Committee are subject to these Bylaws and to the Charter and Bylaws of the State Committee of the Democratic Party of Georgia, hereafter referred to as the State Committee. (References to these by-laws will be denoted with the section [§] symbol, while references to By-laws of the Democratic Party of Georgia will ordinarily be denoted with "Ga BL.")

ARTICLE II.—Duties

§2.1. Duties of the Committee shall be

- To elect State Committee members in accordance with Ga BL.
- To determine Party Districts and Apportionment in accordance with Ga BL and to file any changes with the State Party Chair and the Oconee County Election Superintendent.
- To promote development of Party organizations and activities.
- To seek and encourage qualified Democratic candidates for elective office.
- To support Democratic nominees.
- To perform such primary and election functions as required by law.
- To maintain appropriate records.
- To promote and add logistical support to the State Affirmative Action Program.
- To raise funds for the above purposes; and
- To perform such other duties as may be required by the State Committee.

ARTICLE III.—Membership and Party Districts

§3.1. Membership. There shall be four classes of membership, three with voting privileges and one without. Voting Members shall include regular (elected) members, Ex Officio Members and Emeritus Members. Non-voting members shall be Honorary Members.

§3.2. County Apportionment Plan. Oconee County is divided into seven (7) districts to determine regular membership of this Committee. The districts shall be numbered District 1 through District 7. Each district shall initially have three (3) county committee posts; each post shall have one committee member. A review of the apportionment plan shall be not less than once every ten (10) years within a reasonable time after the reporting of the decennial U.S. census. District 1 shall be made up of Antioch and Farmington and Bishop and High Shoals voting precincts. District 2 shall be made up of Flat Rock and Watkinsville East voting precincts. District 3 shall be made up of Briarwood and Mars Hill voting precincts. District 4 shall be made up of Civic Center and Eastville voting precincts. District 5 shall be made up of Bogart and Dark Corner voting precincts. District 6 shall be made up of Friendship and Watkinsville West voting precincts. District 7 shall be one county at-large district with three (3) posts.

§3.3. Challenge to the County Apportionment Plan. Pursuant to Ga BL, challenges to the apportionment plan may be made by any individual who voted in the most recent Democratic primary and who is a member of the State Party by executing a petition which sets forth the objections and by filing said petition with the Chair or the Secretary of the Committee.

§3.4. Designation of Posts and Terms. The Committee shall designate one half (1/2) of the elected Committee Posts to be elected in Gubernatorial election years and one half to be elected in Presidential election years. As near as practicable, one-half (1/2) of the members from each district shall be elected in Presidential election years and the remaining one-half (1/2) of each district shall be elected in Gubernatorial election years. County committee members shall take office on the first day of the first month following the General Election. Elected Committee members shall serve four (4)-year terms.

§3.5. Election Procedure. Committee members are to be elected on the general primary ballot, using the same procedures and rules as those for other county elected officials. The fee to qualify for a post position on the committee shall be \$10.00 and each candidate receiving the highest number of votes for any post shall be elected without a runoff. No person will be denied the right to run for a committee post for a stated inability to pay the qualification fee.

§3.6. Ex Officio Members. The Committee shall also include as voting members the following: members of the State Committee, members of the Democratic National Committee, the Congressional District Chair, and public officials who by State Democratic Party rule are Ex Officio members of the State Committee and who reside in and are registered to vote in Oconee County.

§3.7. Emeritus Members. The Executive Committee may submit names of members who are at least 60 years old and have at least 10 years of continuous active membership on the Committee to the Committee membership to be elected to Emeritus status. Election to Emeritus status will be by simple majority of members present at the meeting in which the names are submitted. Such Emeritus members shall have all privileges and shall be exempt from dues and any other obligations of Committee membership.

§3.8. Honorary Members. The Executive Committee may submit names of persons deemed worthy of Honorary membership. Honorary Members may reside outside the county, but may not vote on Committee business. Election to Honorary status will be by simple majority of members present at the meeting in which the names are submitted.

§3.9. Dues. Reasonable dues for members may be set, upon due deliberation and majority vote of the committee. No person elected to serve in a Committee post shall be denied the right to participate for a failure to pay dues to the Committee.

§3.10. All members with voting privileges must be registered to vote in Oconee County.

ARTICLE IV.—Election of Officers and Executive Committee

§4.1. Pursuant to Ga BL, the Committee shall elect officers no later than December 31 of even numbered years, to take office January 1 of the following year. The new Chair shall immediately upon taking office notify the State Committee Chair and appropriate Congressional District Chair of his/her election.

§4.2. Pursuant to Ga BL, the Committee shall elect from its membership a Chair, two (2) Vice-Chairs, a Secretary, and a Treasurer. When possible, at least one of the Vice-Chairs shall be of the opposite gender of the Chair. The person receiving the majority of votes for election to an office shall be declared elected.

§4.3. The Officers shall serve two (2) year terms. The position of any officer of the Committee who misses three (3) consecutive meetings or four (4) meetings in a calendar year, shall be deemed vacant. Nothing in these By-laws prevents the former officer whose position has been deemed vacant from seeking reelection to said position. Upon notice to the Committee members given as practicable, an election for the vacant officer position may be held in accordance with the procedure in these by-laws for filling vacancies on the Committee (see Article IX), except that additional nominations may be made at the meeting when the election is held. Nomination from the floor may be made by any Committee member present. Nominations do not require a second.

§4.4. The Executive Committee shall consist of the Chair, Vice-Chairs, Secretary, Treasurer. The immediate Past-Chair of the Committee can be included as a non-voting member to obtain his/her wise counsel.

§4.5. Such other officers and subcommittees shall serve at the pleasure of the Committee, as may be deemed necessary. Unless reappointed, the term of any such other subcommittee shall expire when the two-year term of the executive committee that appointed them expires.

ARTICLE V.—Election Duties

§5.1. Poll Officers. In accordance with Georgia Election Code and Ga BL, poll officers to conduct primaries and elections shall be recommended by the Committee to the Oconee County Election Superintendent.

§5.2. Poll Watchers. In accordance with Georgia Election Code and Ga BL, two (2) official poll watchers may be designated by the Committee for each precinct for each election.

ARTICLE VI.—Committee Functions, Records, and Certification

§6.1. Financial Records. Pursuant to Ga BL, the Committee shall maintain records of all financial transactions, kept on a calendar year basis, and a list of unpaid obligations. The Treasurer shall provide a year-end financial report to the Committee no later than March 31 of the following year. Financial records may be audited each year by a person appointed by the Chair. A financial report shall be provided to the Committee as soon as practicable or in such period of time as may be specified by the Chair when the auditing person(s) is (are) appointed.

§6.2. Filing of Records. The Committee shall report directly to the State Committee Chair and shall file therewith a list of Committee membership; all rules, regulations, bylaws and charters of affiliates; an annual report of activities or minutes; the location and signatories of Committee bank accounts; and certification by the Committee Chair that the Committee duly constituted and organized is following sound financial operating procedure. Such filing(s) shall be made in accordance with Ga BL.

§6.3. Certification of Officers and Membership. The list of members and officers shall be certified in writing by the Secretary and verified by/attested to by the Chair or one of the Committee Vice-Chairs.

ARTICLE VII.—Meetings and Voting

§7.1. Executive Committee. The Executive Committee shall meet as often as necessary to establish an agenda for the regular Committee meeting and to transact other business in the Committee's interest.

§7.2. Regular Meetings. The Committee shall meet regularly at least once each quarter. Except as provided for in a bona fide emergency, where meetings are not held in a previously designated time and place, all members shall be provided written and/or electronic notice at least ten (10) days in advance of the meeting date.

§7.3. Emergency Meetings. Emergency meetings may be called with at least five (5) days notice upon approval of a majority of the Executive Committee. Telephonic, electronic, or actual notice of the meeting must be provided or attempted to each Committee member.

§7.4. Quorum. A quorum for conduct of Committee business shall be one-third (1/3) of voting Committee members.

§7.5. Voting. No person shall be entitled to more than one vote. Voting by proxy is not permitted. Secret ballot shall be permissible only when electing Committee members and State Convention Delegates in accordance with Ga BL.

§7.6. All meetings shall be open to the public unless the Committee votes to go into Executive Session as may be provided for in Ga BL.

§7.7. Pursuant to Ga BL, unless otherwise provided for in the State Party By-laws or the State Party Charter, Robert's Rules of Order, most recently revised edition, shall govern the conduct of all meetings of the Committee. Generally speaking, parliamentary procedure, rather than consensus decision-making, will be utilized to make decisions and provide order in all Committee and sub-committee meetings.

ARTICLE VIII.—Committees

§8.1. The Committee shall appoint an Affirmative Action Subcommittee as required by Ga BL.

§8.2. The Executive Committee may appoint such other Standing Subcommittees for the following activities as may be deemed necessary: Communications, Education, Special Programs, Voter Registration, Fundraising, Candidate Development, and Nominating Committee.

§8.3. The Committee may also appoint Ad Hoc Subcommittees or Teams as it may consider appropriate.

ARTICLE IX.—Vacancies

§9.1. A vacancy in a Committee post may be filled by election by the Committee for the remaining term of office.

§9.2. Names of prospective Committee members for vacancies shall be submitted in the form of a nomination to the Secretary. Nominees shall be read at one meeting and voted on at the next meeting of the Committee by secret ballot as described in Article VII, Section 5 of these Bylaws. Nominations may be made from the floor on the date of the election, and if deemed necessary, the actual voting may be postponed to the next regular meeting.

ARTICLE X.—Removal Procedure

§10.1. Any Committee member and/or officer may be removed by the Committee for cause, with reasonable notice, and with the opportunity to be heard, by a 2/3 vote of the Committee provided a 40% quorum of members is met, in accordance with the Ga BL. This procedure is separate and

distinct from the situation where an officer's position is deemed vacant due to excessive absences pursuant to §4.3 of these By-laws.

§10.2. Any person subject to removal from an office pursuant to the preceding section, or from the Committee, for cause, shall receive a written notice of the alleged reason(s) for removal.

§10.3. The removal procedure shall be conducted by a Subcommittee appointed by the Chair. If the Chair is subject to the removal procedure, the Subcommittee shall be appointed by a majority of the other Executive Committee members then serving.

§10.4. The person who is subject to removal shall have the right to be informed of all persons who will witness against him/her and who will testify in support of the charges, at least ten (10) days before a hearing on said charges before the full Committee.

§10.5. The person who is subject to removal shall have the right to counsel and to present witnesses, documents and arguments. The Subcommittee shall be afforded the same right.

ARTICLE XI.—Reimbursement Prohibition

§11.1. Pursuant to Ga BL, no member of the Committee shall receive compensation for or be reimbursed for expenses in attending a Committee meeting.

ARTICLE XII.—Prohibitions and Contributions

§12.1. The Committee is explicitly prohibited from supporting a Democratic candidate who has opposition in a primary or special election where there is more than one declared Democratic candidate, nor shall a member use his/her office to support an opposed primary or special election candidate. No Committee member shall publicly support another candidate other than the Democratic nominee in a partisan general election.

§12.2. Any contributions made to a candidate who subsequently leaves the Democratic Party will be handled in accordance with Ga BL. Any contribution to a candidate for public office, running as a Democrat, by any member of the Committee or the Committee itself shall be accompanied by a cover letter which shall state in substance the following language: "This contribution is made on the express condition that, after election, you remain a member of the Democratic Party. Your acceptance and/or use of this contribution is your personal acknowledgment and contract that should you win election but at any time prior to the end of your term change parties or leave the Democratic Party, you will repay these amounts and any costs, including attorney's fees, associated with seeking such repayment." [See Ga BL.]

ARTICLE XIII.—Veto

§13.1. Any action by the Committee may be reversed by a two-thirds (2/3) majority vote of the membership of the State Executive Committee, in accordance with Ga BL.

ARTICLE XIV.—Endorsement in Non-partisan Elections

§14.1. The Committee shall be authorized, provided actual notice of at least thirty (30) days prior to said meeting where such action is contemplated, to endorse a candidate running in a non-partisan election. All candidates for that position will be given the notice required (30 days) and be given equal opportunity to seek the Committee's endorsement.

ARTICLE XV.—Amendments

§15.1. After adoption, these Bylaws may be amended at any Committee meeting by a two-thirds (2/3) majority vote of those present, provided that at a prior regular meeting, written notice of said proposed amendment(s) has been provided to all members of the Committee, including Ex Officio members.

ARTICLE XVI.—Ratification and Submission

§16.1. These By-laws and any amended By-laws adopted by the Committee in the future shall be submitted to the State Party Chair and the appropriate Congressional District Chair within fourteen (14) days of their adoption, with the proper certification, pursuant to Ga BL.

Adopted and approved by the Oconee County Democratic Committee, this 3rd day of March, 2005.

Secretary