

BY-LAWS FOR THE TOMPKINS COUNTY DEMOCRATIC COMMITTEE

Adopted May 25, 2017
(As Amended September 28, 2017)
(As Further Amended July 30, 2020)
(As Further Amended September 29, 2021)

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Article I

General Provisions

Section 1. The organization of the Democratic Party in Tompkins County shall be known as the “Tompkins County Democratic Committee,” hereafter referred to as “The County Committee,” whose membership shall be elected under the provisions of Article II herein.

Section 2. The purpose of these Bylaws is to inspire and encourage the greatest number of Democrats to participate in the affairs of the Democratic Party of Tompkins County, to ensure the continuing success of the Democratic Party of Tompkins County, to provide an orderly and democratic way to carry on the business of the party and to provide the best possible government for the people of Tompkins County.

Section 3. The Tompkins County Democratic Party actively seeks committee members who are representative of their constituents with respect to sex, race, religion, ethnic background, and age.

Section 4. Except as limited by law or by these Bylaws, the affairs of the Tompkins County Democratic Committee shall be vested in the County Committee.

Section 5. The officers of the Tompkins County Democratic Committee shall consist of a Chairperson, First and Second Vice-Chairpersons, Secretary, and Treasurer, who shall be elected as provided in Article VI, Section 1, Part c of these Bylaws.

ARTICLE II

Membership

Section 1. The Tompkins County Democratic Committee shall consist of those persons who are elected biennially in odd-numbered years in the primaries for each election district or are appointed to the County Committee at a subsequent meeting of the County Committee. There shall be at least two, and not more than four, members of the County Committee elected by each Election District in the County, who shall be residents of Tompkins County and enrolled Democrats at the time of the election or appointment and throughout their term of office. Each member shall have one vote.

Section 2. The number of authorized members of the County Committee in each election district shall be computed according to the following formula. The total Democratic vote for Governor in the most recent gubernatorial election shall be divided by the number of election districts in the county to find "A," the average number of votes per election district. If the vote in an election district was less than half of "A," that election district shall be authorized to have two members of the County Committee. If the vote in an election district is equal to or more than half of "A" and less than "A" that election district shall be authorized to have three County Committee members. If the vote in an election district is equal to or greater than "A" that election district shall be authorized to have four members of the County Committee. In case the boundaries of such districts have been changed or a new election district has been created since the last preceding gubernatorial election, the above formula shall be applied to the Democratic vote cast for Member of Assembly. In case the boundaries of such election districts have been changed or a new election district has been created since the last assembly election, the same formula shall be applied to the Democratic Party enrollment in the last general election. In case the boundaries of such election districts have been changed or a new election district has been created since the last general election, the same formula shall be applied to the Democratic Party enrollment at the time of the change in boundaries and/or creation of a new election district.

Section 3. The officers of the County Committee shall be ex-officio members of the County Committee but shall have no vote unless they are also duly elected or appointed County Committee members.

Section 4. Democratic public office holders of elected State, County, City, Town, and Village public offices shall be ex-officio members of the County Committee but shall have no vote unless they are also duly elected County Committee members.

Section 5. Where a member of the County Committee removes his/her voting residence from Tompkins County, such removal constitutes a vacancy in the County Committee.

Section 6. All vacancies occurring in the County Committee for cause (Article 7, Section 2 and Article IX), by death, disqualification, removal from office, or otherwise shall be filled by the County Committee as provided by the Election Law, upon the recommendation of the Town or Ward Committee in which the vacancy shall occur.

ARTICLE III

Meetings

Section 1. Organization Meeting: the County Committee shall meet biennially within twenty (20) days following the Primary Election at which its members were elected, at such time and place as may be designated by the outgoing County Chairperson, to organize, adopt Bylaws and regulations, and for such other business as may come before it.

Section 2. Regular meetings of the County Committee shall be held quarterly. Special meetings may be called at any time by the Chairperson or shall be called within twenty (20) days upon the request of twenty (20) members of the County Committee, in writing, to the Chairperson or Secretary.

Section 3. A meeting of the County Committee, the Executive Committee or other standing or ad hoc committee of the County Committee, or a meeting of a Town or Ward Committee, may be held remotely at the discretion of the Chair of that committee, conducted pursuant to any standing rules adopted by the County Committee for remote meetings.

Section 4. Not less than five(5), nor more than twenty(20), days notice of all meetings shall be given by mail by the Secretary and such notice shall include the minutes of the preceding meeting and an agenda of the proposed meeting. In addition, notice of the Organization Meeting shall include information as to how copies of these Bylaws may be obtained.

Section 5. The use of proxies at meetings of the County Committee shall be limited as follows:

Part a. A proxy holder must be a member of the County Committee.

Part b. No individual may hold more than five (5) proxies at any meeting; proxies shall be non-transferable.

Part c. All proxies, when submitted, must designate another member of the County Committee to vote as their proxy and may contain a specific vote for a particular agenda item or items.

Part d. Proxies shall be used when determining if a quorum is present.

Part e. Proxies shall be used for voting purposes, without need for an authorizing motion, only in contested elections for party office, contested nominations, or contested endorsements or authorizations. In addition, proxies shall be used for specific agenda items, provided a simple majority of those present vote in favor of a seconded motion to include proxy voting on that particular issue. In all other cases voting shall be limited to those present.

Part f. Proxies sent by e-mail are acceptable, if the e-mailed proxy is in substantial compliance with the informational requirements of the currently authorized paper proxy: (1) name and residence of the proxy giver; (2) the proxy giver's Ward or Town and election district; (3) name of the designated proxy holder; (4) date of the County Committee meeting for which the proxy is given; and (5) any specific voting instructions, if the giver so desires; and (6) the proxy giver's signature, except that the e-mail address the proxy giver used to send the proxy shall constitute a sufficient signature for purposes of this Article.

Section 6. The presence and/or proxies of a simple majority of the stated membership of the County Committee shall constitute a quorum. If there is less than a quorum, the meeting may be adjourned. The membership shall be informed of the lack of a quorum for a meeting in the notice of the following meeting.

Section 7. Until the Organization Meeting of the County Committee, the officers of the outgoing County Committee shall continue in office until the election of their respective successors.

Section 7. Order of business. At all meetings of the County Committee, the following shall be the order of business:

- (a) Call to Order
- (b) Changes to the Agenda
- (c) Election of Party Officers, Votes for Endorsements, Votes for Nominations or Votes for Authorizations, if any
- (d) Filling of vacancies on the County Committee
- (e) Reports of officers
- (f) Reports of Standing and Ad Hoc Committees
- (g) Unfinished Business
- (h) New Business

Section 8. There shall be public notice of all meetings of the County Committee. Any Democrat registered in Tompkins County has the right to attend and speak at all meetings of the County Committee. Non-County Committee members may be seated separately from County Committee members in order to facilitate voting.

Section 9. The County Committee may choose, by a majority vote at any time, to go into executive session, at which point visitors and any County Committee member whose candidacy is under discussion shall leave the room.

Section 10. At the start of each meeting, the Chairperson may appoint an individual to serve as Parliamentarian for that meeting.

ARTICLE IV

Officers and Duties

Section 1. The officers of the County Committee shall consist of a Chairperson, First and Second Vice-Chairpersons, Secretary, and Treasurer, who shall be elected for two-year terms by the County Committee at each biennial organization meeting to be held within twenty (20) days following the Primary Election in which its members were elected in the manner specified in Article VI, Section 1, Part c. The County Committee may elect such other officers as it may deem advisable.

Section 2. Officers of the County Committee shall be enrolled members of the Democratic Party, but need not be members of the County Committee, as provided by the election law.

Section 3. If a vacancy occurs in a party office, it shall be filled by the County Committee in the manner specified in article VI, Section 1, Part c.

Section 4. The County Chairperson, in addition to the duties conferred by law, shall coordinate all campaigns in the County for Federal, State, County, Town, Village and City offices and exercise any other powers and duties assigned by the County Committee. The County Chairperson presides at all meetings and possesses the general powers of the presiding officer.

Section 5. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or disability of the Chairperson to act, and perform other duties assigned to the office by the County Committee or the County Chairperson.

Section 6. The Secretary shall keep a full and accurate account of all proceedings of the County Committee and prepare minutes for distribution. The Secretary shall file and preserve all written reports of the County Committee, be responsible for the preparation of all reports required by law, except those which have to do with finances, or which by law are required to be filed by some other officer and shall make such reports available for the inspection of any member of the County Committee. The Secretary shall attend to the preparation and distribution of all notices required by these Bylaws and perform such other duties as the County Committee or the County Chairperson may require.

Section 7. The Treasurer shall be the chief financial officer of the County Committee and shall receive, hold in trust, and disburse all funds of the County Committee according to procedures established by the Finance Committee. All checks drawn on, or withdrawals made from, accounts of the County Committee shall require two signatures. The Treasurer, County Chairperson and County Vice-Chairperson shall be the authorized signers. The Treasurer shall file all financial reports and statements required by law and, in cooperation with the Finance Committee, perform such other duties as the County Committee or the County Chairperson may require. All records and reports of the Treasurer shall be made available for inspection by any member of the County Committee.

ARTICLE V.

Town, Ward and City Committees

Section 1. There shall be a Town Committee in each of the Towns of Tompkins County and a Ward Committee in each of the Wards of the City of Ithaca.

Section 2. The basic membership of each Town or Ward Committee shall be the members of the County Committee representing that Town or Ward. Within (20) days following the primary at which they are elected, these members shall meet to elect a Chairperson and such other officers as they desire.

Section 3. The membership of each Town or Ward Committee shall consist of the County Committee members who represent election districts in that Town or Ward. It also can include as many enrolled Democrats who live within the respective Town or Ward who are not members of the County Committee that the County Committee members from that particular Town or Ward choose to appoint.

Each member of the Town or Ward Committee shall have one vote on each issue before the Town or Ward Committee except that only members of the Town or Ward Committee who are also members of the County Committee can vote on recommendations for appointment to the County Committee, addition of non-County Committee members to the Town or Ward Committee, authorizations to run on the Democratic Party line, and nominations to fill a vacancy in an elective office required to be filled at the next general or special election.

Section 4. Each Town or Ward Committee may adopt, subject to the approval of the Executive Committee, its own Bylaws. In the absence of such Bylaws, the majority of the members, including proxies, shall constitute a quorum, but there shall be no proxy voting. Not less than five (5) days notice shall be given to each member in advance of any meeting of the Town or Ward Committee.

Section 5. All members of the Ward Committees shall constitute the City Committee. The total votes cast by any Ward Committee on any decision within the City Committee shall not exceed the number of seated members of that Ward Committee on the County Committee. Within thirty (30) days following the primary at which the County Committee members are elected, the members of the City Committee shall meet to elect a Chairperson of the City Committee, who shall be an enrolled Democratic resident of the City. Subject to the approval of the Executive Committee, the City Committee may adopt its own Bylaws.

Section 6. The Chairpersons of the Town Committees may form a Committee of the Towns and elect a Chairperson of the Towns, who shall be an enrolled Democratic resident of a Town in Tompkins County. Subject to the approval of the Executive Committee, the Committee of the Towns may adopt its own Bylaws.

Section 7. Each Town and Ward Committee shall attempt to make known to the registered Democrats in its district the process by which membership in the County Committee may be obtained. When there is a vacancy on the County Committee from its jurisdiction, the Town or Ward Committee shall vote on the nomination of a candidate to the County Committee to fill the vacancy.

Section 8. The Democratic nomination to fill a vacancy in any elected public office or an authorization to run on the Democratic Party line, shall be the responsibility of those County Committee members who represent the population eligible to vote for that office.

Section 9. Party nomination for town offices shall be by caucus, except in the Towns of Caroline, Ithaca, and Lansing where they shall be by primary election. All such nominations of candidates for Village offices shall be made by Party Caucus and executed in accordance with State Election Law.

ARTICLE VI

Committees of the County Democratic Committee

Section 1. The standing committees of the County Committee shall be the Executive Committee, the Finance Committee, the Elections Committee, and the Issues and Platform Committee.

Part a. The Executive Committee shall consist of all the officers of the County Committee, the Chairperson of each Town and Ward Committee, the Chairperson of the City Committee and the Chairperson of the Towns, and the Chairperson of each Standing Committee of the County Committee. All Democratic elected public office holders and the members of the State Committee in Tompkins County shall be ex-officio members, without a vote unless already a voting member of the Executive Committee. Any member of the County Committee may attend meetings of the Executive Committee.

Each voting member of the Executive Committee shall have one vote. There shall be no proxies, except to the extent authorized below. A majority of the actual voting membership of the Executive Committee will constitute a quorum. If the Chairperson of a Town or Ward Committee is unable to attend a meeting of the Executive Committee, he or she may designate a representative to appear in person in his or her place; the designated representative is authorized to vote in the place of the Town or Ward Chairperson and to be counted in determining the existence of a quorum.

The Executive Committee shall recommend actions to the County Committee and be empowered to take such actions as are necessary to carry out the work of the County Committee between meetings of the County Committee. The record of actions taken at meetings of the Executive Committee shall be reported at the next meeting of the County Committee. The officers of the County Committee shall be the officers of the Executive Committee.

Part b. The Finance Committee shall consist of five (5) members designated by the County Chairperson, one of whom shall be the Treasurer. The terms of the members will expire at the biennial Organizational Meeting. The Finance Committee shall elect its own chairperson from among its members.

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The Finance Committee shall establish procedures for disbursement of funds, prepare an annual budget and an annual financial report to the County Committee, and shall perform such other functions as are delegated to it by the County Chairperson or the County Committee.

Part c. The Elections Committee shall preside over and conduct the election of officers of the County Committee at the Organization Meeting or when a vacancy occurs. The Elections Committee shall consist of three (3) members elected by the outgoing Executive Committee, none of whom may be candidates for any of the officer positions. The Elections Committee shall elect its own chairperson. The Executive Committee has the power to fill vacancies on the Elections Committee.

The Elections Committee shall inform each member of the County Committee of the procedures and timetable of the forthcoming election. The Elections Committee is encouraged to recruit at least two (2) candidates for each office and shall schedule a forum at which all potential candidates shall be offered the opportunity to speak and/or have others speak for them. There shall be opportunity for discussion but no votes shall be taken. The forum shall take place at least seven (7) days before the County Committee meeting at which the elections will take place. If only one candidate comes forward for each office, the forum will not take place, unless requested in writing by three (3) members of the County Committee.

Following the forum all members of the County Committee shall be informed of the names of all those who were identified as candidates for any of the officer positions.

At the election there shall be opportunity for nominations from the floor. The order of election shall be Chairperson, Vice-Chairperson, Secretary, and Treasurer. Any persons nominated for one office, but not elected to that office, shall be eligible for nomination for any remaining office.

Part d. The Issues and Platform Committee shall consist of seven (7) members of the County Committee designated by the County Chairperson. The terms of all members shall expire at the Organizational Meeting. The Issues and Platform Committee shall prepare resolutions for presentation to the County Committee and perform such other duties as are delegated to it by the County Chairperson or the County Committee

Section 2. Except as otherwise provided herein, the Chairperson and all members of each of the Standing Committees shall be designated by the County Chairperson, who shall be an ex-officio member of all of the Standing Committees.

Section 3. The County Committee, the Executive Committee, and/or the County Chairperson may create and terminate ad hoc committees. In the absence of specific instructions in the establishing motion, the County Chairperson shall designate ad hoc committee members.

Section 4. The Executive, Standing, and ad hoc committees provided for in this Article have the power to appoint subcommittees.

ARTICLE VII

Miscellaneous

Section 1. A copy of the adopted Bylaws shall be made available by the Secretary of the County Committee to any member of the County Committee requesting it.

Section 2. A member or officer of the County Committee will be removed, upon two-thirds (2/3) vote of the County Committee for corruption in office, or for publicly supporting the opponent of a duly nominated Democratic candidate for public office after notice and charges to be brought by the Executive Committee to be heard by the full County Committee.

Section 3. Roberts Rules of Order, as last revised, shall govern the proceedings of all meetings of the County Committee and its standing and ad hoc committees in all cases to which they are applicable and where they are not inconsistent with the law, these Bylaws or any special rules of order adopted by the County Committee.

Section 4. These Bylaws shall become effective immediately upon their adoption.

Section 5. If any clause, sentence, paragraph, subdivision, section, Article or part thereof of these Bylaws shall be adjudged by any court or body of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the part directly involved in the controversy in which such judgment shall have been rendered.

Section 6. When changes to the platform are proposed by the Issues and Platform Committee all members of the County Committee shall be given an opportunity to see and study them at least seven (7) days prior to their being taken up by the County Committee for action.

ARTICLE VIII

Amendments to the By-laws

Section 1. These Bylaws may be amended by a majority vote of those present at any meeting of the County Committee provided that a quorum as herein defined is present at the meeting and provided that notice of consideration of such amendments, together with a copy of the current and proposed sections concerned, is mailed to each member of the County Committee not less than five (5) and not more than twenty (20) days before the said meeting.

Section 2. Any member of the County Committee may propose an amendment to these Bylaws by presenting said amendment, in writing, signed by at least ten (10) members of the County Committee to the County Chairperson or Secretary of the County Committee at least twenty (20) days before any scheduled meeting of the County Committee, in order to meet the requirements of Article VIII, Section 1.

ARTICLE IX

Code of Ethics

The Tompkins County Democratic Committee adopts the following Code of Ethics, based on the Model Code of Ethics passed by the Executive Committee of the New York State Democratic Party:

Conflict of Interest: An officer of the County Committee, which includes the Chairperson, Vice-Chairperson, Secretary, Treasurer, City Chair or Towns Chair (who serves as liaison among the Town Committees), or a firm or corporation controlled by an officer, shall not receive any compensation for services relating to matters before a legislative body or a state or local agency in connection with the purchase, sale or lease of goods, property and services, licensing, rate-making, and the adoption or repeal of rules and regulations having the force of law; however, an officer may render services in a matter before a legislative body or agency if the identity of the officer and the source of compensation is disclosed to the Ethics Commission in writing; the compensation must not be contingent on the success of any proceeding and the proceeding must be subject to public notice and competitive bidding where applicable.

An officer cannot sell or contract to provide any goods or services with a value greater than \$25 to any state or local agency, unless such goods or services are provided after public notice and competitive bidding. However, an officer may sell or contract to provide goods or services to any state or local agency, if the officer makes full disclosure of the same to the Ethics Commission prior thereto.

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An officer cannot accept directly or indirectly for personal gain anything of value greater than \$100 from any entity having a financial interest in the outcome of any pending County Committee decision and an officer cannot use his or her position to obtain any benefits or privileges not generally available to members of the public.

Dual Office Holding: No party leader (defined as follows: an officer of the County Committee, City Chairperson, Towns Chairperson, or Ward Chairperson), while in office shall simultaneously hold any appointive office of a policy making nature in the executive branch of the state or federal government, seek or hold statewide elective public office, or seek or hold office as Assistant Attorney General, State Senator, Member of the Assembly, County Administrator, County Comptroller, County Legislator, member of the Ithaca City Council, Mayor of the City of Ithaca, or Town Supervisor, or serve as judge of any court of record, District Attorney, Assistant District Attorney, or serve as Election Commissioner.

County Committee Ethics Commission: The Chair of the County Committee, with the approval of the County Committee or its Executive Committee, shall appoint an Ethics Commission of five (5) enrolled Democrats; no party leader and no more than one voting member of the Executive Committee shall serve as a member of the Commission. The County Chair will designate a Commission Chair, and will act promptly to fill any vacancies. Members may be removed from the Commission by the County Chair for neglect, misconduct or violation of this code, after written notice and opportunity to reply.

Complaints: Any enrolled Democrat may submit to the Ethics Commission a written complaint of a specific violation of this code or the Commission may independently institute a complaint.

Procedure: When a complaint is received the Commission will give a copy to the individual complained of (to be referred to as “the respondent”), who may reply in writing within fifteen (15) days. Within thirty (30) days after the expiration of the fifteen (15) day period, the Commission may, by majority vote, dismiss the complaint, reprimand the respondent, or schedule a hearing on the complaint.

If the respondent requests, the Commission must schedule a hearing. The complainant and the respondent must be notified of the time, date and place of the hearing fifteen (15) days in advance and a quorum of four Commission members must be present. The hearing will be private unless the respondent requests otherwise; however, all reprimands or penalties shall be made public. The Commission and the respondent are entitled to have counsel present at the hearing. Any decision of the Commission may be appealed to the County Committee or to the Executive Committee by the respondent.

The Commission shall review the Code of Ethics and may recommend to the County Committee any changes it considers desirable.

Penalties: If a party leader or officer is charged with a criminal offense, the Commission shall hold a hearing to determine whether the offense comes under the scope of the Code of Ethics; if so, the party leader or officer is automatically suspended from party office pending final judgment of the case. A party office automatically becomes vacant if the party leader or officer is convicted of a felony. If the Commission determines that a party leader or officer has violated the Code of Ethics, the party leader or officer may be reprimanded, suspended or removed from party office. A party leader or officer who is removed from office for violation of this Code may not hold party office for five (5) years after removal or—if later—from the date of expiration of his or her sentence.

Certification: When a party leader or officer is elected or appointed, the Ethics Commission shall provide him or her with a copy of the Code of Ethics and any other relevant materials. Within ten (10) days the party leader or officer must file with the Commission a certificate stating that he or she has received the materials, has read them and agrees to abide by them.