

Proposed Rules to be adopted at 2022 Biennial Reorganization Meeting:

[Proposed changes are *in italics & red*]

**DEMOCRATIC COUNTY COMMITTEE OF ERIE COUNTY**

The Democratic County Committee in and for the County of Erie does hereby adopt and establish the following rules for the govern~~ance~~ *[delete “ment”]* of ~~the~~ *[delete “said”]* County Committee and the Democratic Party in Erie County.

**ARTICLE I - GENERAL PROVISIONS**

**Section 1.** The basis of the organization of the Democratic Party of Erie County shall consist of the Democratic voters of each election district in ~~the~~ *[delete “said”]* county who have enrolled as required by law in their respective election districts for the purpose of participating in the primary elections of the Democratic Party.

**Section 2.** There shall be elected, in Erie County, biennially, in even numbered years, at the official primaries provided for by the Election Laws of the State of New York, a Democratic County Committee consisting of two members from each election district in Erie County, each of whom shall be an enrolled voter of the Democratic Party, residing in the Assembly district in which he or she is elected.

**Section 3.** The County Committee shall have general authority over the Democratic organization of the County and over all subordinate committees within its jurisdiction, except where otherwise provided by law or by these rules.

**Section 4.** In any voting for the election of party officers and recommendation for Commissioner of Elections, as provided for in Section 12 of this article and for the recommendation of the Commissioner of Elections, as provided for in Section 13 of this article, a secret ballot shall be held for such purposes, unless a two thirds (2/3) majority (not by weighted vote) of committee members, present and voting at such meeting, shall vote, by a voice vote, to dispense with the requirement of a secret ballot.

For all other matters, all voting at the biennial and at any meeting of the whole county committee shall be by voice vote. A roll call of the whole county committee shall be called in the following manner:

- 1.) City of Buffalo (numerically, by zones)
  - 2.) City of Lackawanna (numerically, by ward)
  - 3.) City of Tonawanda (numerically, by ward) 4.)
- Thereafter, all Towns, in alphabetical order.

**Section 5.** All petitions and resolutions introduced by Members and reports of committees shall be in writing, and if request is made by a member, all amendments shall be presented in writing.

**Section 6.** All questions relative to procedure or priority of business shall be decided by the Chair without debate, and the Chair's decision shall be final unless reversed by a majority of the members in attendance.

**Section 7.** All resolutions introduced, recommendations made, or other motions made by Members, shall be in writing and referred in the discretion of the Chair to such Committee as the Chair shall direct before action thereon.

**Section 8.** Special purpose meetings of the County Committee may be called upon petition of at least 650 members of the Committee for a specific purpose proposed in said petition. No meeting to be held at the direction of the County Chair, or of the County Committee or any subordinate committee or group thereof, may be had, except upon written notice of such meeting, by first class mailing, specifying the date, time, and place of the meeting, and providing general notice of the topics to be considered. Such written notice is to be mailed out no less than ninety-six hours (four days) before the scheduled commencement of any meeting called hereunder. Provided, however, the Chair of the Erie County Democratic Committee may, in the Chair's discretion, call a meeting of a subordinate committee (a) by e-mail or other electronic means and (b) with less notice than herein provided if the chair deems it necessary for the proper good of the Committee as a whole.

**Section 9.** At all meetings of the County Committee, 500 of the duly elected Members thereof shall constitute a quorum for the transaction of business. At meetings of the subordinate committees of said County Committee, one third of the Members of such committees shall constitute a quorum for the purposes of the transaction business.

**Section 10.** Within *the timeframe authorized by the Election Law* [delete “twenty (20) days”] after the Official Primary at which the Members of the County Committee shall have been elected, the County Committee shall meet and organize. The Chair of the retiring Committee shall designate the time and place within the County of Erie for said meeting, or if the said Chair shall fail to designate the time and place of such meeting within *the timeframe authorized by the Election Law* [delete “fifteen (15) days”] after the Official Primary, then the Secretary of the retiring Committee shall designate the time and place of such meeting. At least four (4) days’ notice of such meeting shall be given by the Secretary in writing to each Committee Member in accordance with Article One, Section Eight.

The Chair of the retiring Committee shall call such meeting to order, or in his or her absence, the Secretary shall call the meeting to order. The Chair, or any member of the retiring Officers the Chair shall designate, shall designate, shall preside until the election of a new County Chair and Officers. If the Members of the County Committee are to entertain rule changes at the [delete “aforementioned”] meeting, the notice of *the* [delete “said”] meeting will, in accordance with the provisions of the New York State Election Law, be made at least five days ahead of such meeting and contain therein, in writing, said proposed rule changes.

**Section 11.** At the organization meeting and at subsequent meetings, so far as applicable, the following order of business shall be observed:

### **ORDER OF BUSINESS**

1. Call of the roll
2. Election of Officers and Recommendation for Commissioner of Elections, when required
3. Adoption of Rules
4. Reports of Committees
5. Presentations of Resolutions, Motions, and Notices and Action thereon
6. Adjournment

**Section 12. Officers of the County Committee.** At the organization meeting herein provided for, the County Committee shall elect the following officers: Chair, *Seven* [delete “Five”] Vice Chairs, *three* [delete “two”] at least of whom shall be women, a Secretary, a Treasurer, and a Sergeant at Arms.

All officers of the County Committee shall be elected by a majority (*i.e.*, greater than 50%) of the weighted votes cast by the Committee persons present at the biennial meeting.

If there are more than two candidates for any office, the Chair shall be elected on the first ballot cast; the remaining officers shall be elected by subsequent ballots. If there are two or less candidates for all offices, all officers shall be elected with one vote by use of slate voting.

In the event a nomination, designation, authorization or filling a vacancy is required during the period following the election of County officers and preceding the biennial Town, City and Zone reorganization meetings, the duly elected Chair, *Seven* [delete “Five”] Vice Chairs, Secretary, Treasurer and Sergeant at Arms shall be empowered to make nominations, designations, authorizations and fill vacancies for public offices as extensive as described in Article II of these Rules for the Executive Committee and only until the Executive Committee is fully constituted. The power shall be exercised, at a meeting called by the Chair for such purpose, by a majority vote (*6* [delete “5”] or more) of the whole number of the officers.

**Section 13.** Pursuant to the provisions of Election Law, Section 3-204, the Erie County Democratic Committee shall make the party's recommendation for the Commissioner of Elections of Erie County (when required) in the following manner:

- 1.) For a vacancy created by the expiration of the term, such recommendation shall be made by the full county committee, at the biennial organization meeting, pursuant to Election Law, Section 2-112.

- 2.) The recommendation for Commissioner of Elections, when made by the full county committee, shall be made by a majority (i.e., greater than 50%) of the weighted vote cast by the Committee members present at the biennial meeting.
- 3.) For a vacancy which occurs in such office other than by the expiration of the term of office, the party committee making such a recommendation for the unexpired term shall be the executive committee, as provided for in Article II.

**Section 14** There shall be no voting by proxy at any meeting of the whole county committee nor of any city, town, village, or zone or any other subordinate committee, for any purpose.

**Section 15** If for any office (including for the recommendation of the Commissioner of Elections) there are more than two candidates, and following a ballot for that office no one candidate has received a majority (i.e., greater than 50%) of the weighted votes cast, the candidate with the least amount of votes shall be dropped from the ballot and the remaining candidates will participate in subsequent ballots with the same procedure until one candidate receives a majority of the votes cast.

## ARTICLE II - EXECUTIVE COMMITTEE

**Section 1.** There shall be an Executive Committee to be constituted of the Chair, the ~~seven~~ [delete "five"] Vice Chairs, the Secretary, the Treasurer and the Sergeant at Arms: the Chair of the Erie County Members of the State Democratic Committee herein provided for, twelve at large representatives to be chosen by the Chair, a representative, to be elected by the Members therein from each Zone in the City of Buffalo, who shall be the Zone Chair, a representative to be elected from each City and Town outside the City of Buffalo in the County of Erie, who shall be the respective City or Town Chair.

If, at any time a duly elected Member of the Executive Committee shall also, by virtue of his or her position, hold another position on the Executive Committee, that person shall have the authority to name a member of the same Committee or Group to serve on the Executive Committee as designee of the [delete "aforementioned"] Committee or Group.

There shall also be on the Executive Committee the Chairs, named by the County Chair, of the following Committees: Finance Committee, Public Affairs Committee, Legislation Committee, Rules Committee, Law Committee, Community Services Committee, Registration Committee, Clubs and Organizations Committee, and Students and Youth Activities Committee. Also, there shall be appointed by the County Chair, the following Liaisons: [delete ";"] Liaison to the Legal Community, Liaison to the Disabled Community, Liaison to the Senior Citizens Community, Liaison to the Veterans Community and Liaison to the Labor Community. A majority of the members of ~~the~~ [delete "said"] Executive Committee shall constitute a quorum for the purpose of the transaction of business,

**Section 2.** The Executive Committee shall meet at least 8 times per year at the Call of the County Chair upon such times as the Chair shall determine. If the Chair shall be, for whatever reason, incapacitated, the Secretary shall, at his or her discretion, have the authority to call a meeting of the Executive Committee for the purpose of conducting needed business which, due to the Chair's inability to perform, must be acted upon by the Executive Committee. [Delete ";"] All efforts to avoid such situation must be exhausted prior to the Secretary having the authority to call such a meeting.

**Section 3.** The Chair of the County Committee shall preside at meetings of the Executive Committee, or if the Chair shall be unable to attend, the Chair shall designate a temporary Chair thereof and the Secretary of the County Committee shall act as the Secretary thereof.

**Section 4.** The Executive Committee shall at all times when the County Committee is not actually in session, have such powers and possess and exercise all the rights, privileges, powers, and duties, not inconsistent with these rules, including but not limited to the power to nominate candidates for election to fill vacancies for public offices pursuant to Sections 6-114, 6-116, and 6-148 of the New York State Election Law. Also, if there shall occur a vacancy in the Office of Vice Chair, Secretary, Treasurer or Sergeant at Arms, the Executive Committee shall have the power to fill any such vacancy. Resignations by any officer shall be submitted in writing to the Chair and Secretary, unless the resignation is of the Chair,

in which event it shall be submitted in writing to any of the ~~seven~~ [delete “five”] Vice Chairman and the Secretary.

Should the office of the Chair become vacant, less than six (6) months prior to the Official Primary at which the members of the County Committee shall be elected, the Executive Committee shall meet and fill the vacancy by electing a Chair for the un-expired term. *The Secretary shall call the meeting of the Executive Committee* [delete “Said meeting will be called for by the Secretary”] within three (3) weeks of receipt of the written resignation by the Secretary and any of the ~~seven~~ [delete “five”] Vice-Chairs in accordance with the provisions of Article I, Section 8.

Should the office of the Chair become vacant, six (6) months or more prior to the Official Primary at which the members of the County Committee shall be elected, the Secretary shall convene a meeting of the entire County Committee within thirty (30) days for the purposes of electing a new Chair. The Secretary shall give notice of said meeting in accordance with the provisions of Article I, Section 8.

A vacancy in the office of Chair shall not cause any of the Vice-Chairs to automatically succeed to the office of the Chair unless elected thereto by the Executive committee or the full County Committee. Vacancies of any officers that are filled by the Executive Committee will have the same effect as if the officer was elected by the biennial countywide meeting and will fulfill the unexpired portion of the resigning officer’s term of office.

**Section 5.** Where a public or party office or offices are to be voted for by the electors in the county of Erie, whether the office is wholly or partly contained in said County, and the nominations for said office or offices are to be made at an official primary election provided for by the New York State Election Law, a candidate may be recommended for designation and endorsement by the Democratic Party in Erie County or any subdivision or part thereof by a majority vote of the members of the Executive Committee present at a meeting called for such purpose; provided, however, that for any nominating or designating or endorsing recommendation for a public office wholly contained in the City of Buffalo, those members of the Executive Committee representing areas outside of the City of Buffalo as per Section 1 (one) of this Article shall not have a vote for said endorsements, nominations or recommendations. Such recommendations shall be made by a majority vote of the remaining members of the Executive Committee present at a meeting called for by the Chair for such purposes.

The Executive Committee shall have the power to nominate, endorse and recommend for election, the Democratic candidate(s) for the Offices of Member of the House of Representatives, New York State Senator, all County wide elective offices and all City of Buffalo citywide elective offices, including judicial offices.

The appropriate subordinate committee of the Erie County Democratic Committee shall meet at the call of the County Chair and nominate, endorse and recommend for election the Democratic candidate(s) for all Members of the State Assembly, Female and Male members of the State Committee, individual Erie County Legislator(s), City of Buffalo District Council Members and in the cities of Lackawanna and Tonawanda, and all Towns in the County, the respective offices for said Towns, including judicial offices elected in said sub-divisions. For the purposes of nominating, recommending and or endorsing in the various appropriate political unit or subdivision herein above mentioned, the nominating, recommending, and endorsing of said candidate(s) shall be determined by a majority vote of the Members of the County Committee of the appropriate political subdivision or unit who are the meeting called for such purposes. Each member of the County Committee attending a meeting for the purpose of making a nominating or designating and endorsing recommendation, or for the election of officers of the subordinate committees, shall cast a vote equal to the total amount of votes cast for the Democratic candidate for Governor in the most recent preceding gubernatorial election held, in accordance with Section 2-104 of the New York State Election Law. A quorum for such meetings shall consist of one third of the total number of Members of the County Committee in the appropriate political unit or subdivision. For purposes of this section, the Official Statement of Canvass published by the Erie County board of Elections shall determine the number of votes each Member of the County Committee is entitled to vote.

A candidate for endorsement or nomination is disqualified from consideration if he or she receives the Republican endorsement, automatically forfeits any Democratic endorsement if he or she subsequently accepts a Republican endorsement, nomination authorization. This ~~subsection~~ [delete “sub section”] does not pertain to judicial offices, city attorney, and traditional town administrative offices.

**Section 6.** The members of the Executive Committee are empowered in accordance with and pursuant to Subdivision 3 of Section 120 of the New York State Election Law, to authorize the designation or nomination of a person as a candidate for any public office not enrolled as a member of the Democratic Party. For the purposes of this section, the members of the

Executive Committee shall constitute a party committee within the meaning of the Election Law.

**Section 7.** No rules or by laws established by any subordinate committee of the County Committee may conflict with the rules and bylaws of the County Committee as a whole.

**Section 8.** No member of the Executive Committee, once appointed, may be removed by the Chair. However, any member of the Executive Committee may be removed by the Executive Committee for the reasons specified in Section 2-116 of the New York State Election Law, after notice is given and a hearing upon written charges has been *held by the full Executive Committee*. [delete “had.” and “The hearing shall be held by the full Executive Committee”]

All motions to remove a member of the Executive Committee must be referred to the Executive Committee. Within ten (10) calendar days of receipt of the motion by the Chair (or, if the removal involves the Chair, the Vice Chair), the Executive Committee shall conduct hearings at which all parties concerned (all members of the County Committee) may attend and make statements.

No member of the Executive Committee shall be removed from the Executive Committee without a two-thirds affirmative vote of Executive Committee members present at a meeting where due notice was given to the members of the Executive Committee at least five (5) days in advance.

### ARTICLE III - SPECIAL COMMITTEES

**Section 1.** The Chair of the County Committee shall appoint the following special committees and designate the respective Chair thereof: Finance Committee, Public Affairs Committee, Legislation Committee, Rules Committee, Law Committee, Community Service Committee, Registration Committee, Clubs and Organizations Committee, and Student and Youth Activities Committee, The Chair of the County Committee shall also appoint the following Liaisons: Liaison to the Legal Community; Liaison to the Disabled Community, Liaison to the Senior Citizens Community; Liaison to the Veterans Community and Liaison to the Labor Community, and shall in the Chair’s discretion, appoint committees to serve under said Liaison.

### ARTICLE IV - ZONE CHAIRS ASSOCIATION

**Section 1.** There is hereby constituted a subordinate committee, to be designated as the Zone Chairs Association of the City of Buffalo (*Zone Chairs Association*) and to be composed of the duly elected Chair of each of the Zones in the City of Buffalo.

**Section 2.** *The Zone Chairs Association* [delete “Such committee”] shall meet within forty-five (45) days after the organization meeting of the County Committee and shall elect a Chair, Vice Chair, Secretary, Treasurer and Sergeant at Arms from its members. **The** [delete “Said”] election meeting shall be at a time and place designated by the County Chair and said members shall be notified of said meeting in accordance with Article One, Section Eight.

**Section 3.** *The Zone Chairs Association* [delete “Said association”] shall meet at least once every three months, at a time and place so designated by the Chair of the Zone Chairs Association in accordance with Article One, Section Eight. The meetings of *the Zone Chairs* [delete “said”] Association shall be open to the members of *the* [delete “said”] Association only, provided, however that the County Chair may attend such meetings or designate someone to attend as a representative of the County Chair, if the County Chair so desires. No other persons shall be permitted to attend *the* [delete “said”] meetings; however, this rule may be waived by a majority of the Members in attendance at any meeting.

**Section 4.** Special meetings of the Zones Chair’s Association of the City of Buffalo may be called by the County Chair at such time and place and upon such notice as the Chair shall designate.

### ARTICLE V TOWN CHAIRS ASSOCIATION

**Section 1.** There is hereby constituted a subordinate committee, to be designated as the Town Chairs Association of the County of Erie (*Town Chairs Association*) and to be composed of the duly elected Chair of City of Lackawanna, the City of Tonawanda, and each of the remaining Towns of the County of Erie.

**Section 2.** *The Town Chairs Association* [delete “Such committee”] shall meet forty-five (45) days after the organization meeting of the County Committee and shall elect a Chair, Vice Chair, Secretary, Treasurer and Sergeant at Arms from its members and any other additional officers which the Town Chairs Association may deem necessary. *The* [delete “Said”] election meeting shall be at a time and place designated by the County Chair and said members shall be notified of said meeting in accordance with Article One, Section Eight.

**Section 3.** *The Town Chairs Association* [delete “Said association”] shall meet at least once every three months, at a time and place so designated the Chair of the Town Chairs Association in accordance with Article One, Section Eight. The meetings of said Association shall be open to the members of said Association only, provided, however that the County Chair may attend such meetings or designate someone to attend as a representative of the County Chair, if the County Chair so desires. No other persons shall be permitted to attend said meetings, however, this rule may be waived by a majority of the Members in attendance at any meeting.

**Section 4.** Special meetings of the Town Chairs Association of the County of Erie may be called by the County Chair at such time and place and upon such notice as the Chair shall designate.

## **ARTICLE VI - STATE COMMITTEE MEMBERS ASSOCIATION**

**Section 1.** There is hereby constituted a subordinate committee, to be designated as the State Committee Members of the County of Erie (*State Committee Members Association*), and to be composed of the duly elected Male and Female Members of the State Committee of the County of Erie.

**Section 2.** *The State Committee Members Association* [delete “Such committee”] shall meet within sixty days after the organization meeting of the County Committee and shall elect a Chair from its members. Said election meeting shall be at a time and place designated by the County Chair [delete “,”] and *the* [delete “said”] members shall be notified of *the* [delete “said”] meeting in accordance with Article One, Section Eight.

**Section 3.** *The State Committee Members Association* [delete “Said association”] shall meet at least once every six months, at a time and place so designated by the Chair in accordance with Article One, Section Eight. The meetings of *the* [delete “said”] association shall be open to the members of the Association only, provided however that the County Chair may attend such meetings or designate someone to attend as a representative of the County Chair if the County Chair so desires. No other persons shall be permitted to attend said meetings, however, this rule may be waived by a majority of the Members in attendance at any meeting.

**Section 4.** Special meetings of the State Committee Members Association of the County of Erie may be called by the County Chair at such time and place and upon such notice as the Chair shall designate.

## **ARTICLE VII - CITY OF BUFFALO ZONE COMMITTEES**

**Section 1.** There shall be subordinate committees called the City of Buffalo Zone Committees of the Democratic Party which shall consist of Members of the County Committee elected from the Election Districts within each respective Zone. Each Zone shall contain at least six (6) election districts.

**Section 2.** Zone boundary lines within a city of town shall be compact and election districts contained therein shall be contiguous. Zones shall contain a substantially equal number of enrolled Democrats, and shall to the fullest extent possible, respect neighborhood and ethnic considerations. Zone lines, once drawn and approved by the Executive Committee, shall remain unchanged for a period of at least six years, but the alignment of Zone boundaries shall be reviewed every six years. The power of drawing and approving of zone boundary lines lies completely within the Executive Committee and shall be completed no later than May 15<sup>th</sup> of the year in which the review is required. All reviews and changes must take place in

even numbered years; provided, however, if actions of the Board of Elections concerning election district boundaries requires minor changes to be made in zone lines, the Executive Committee is empowered to make such zone boundary changes of those affected election districts only. If it becomes necessary to alter zone boundaries due to changes in election districts lines by the Board of Elections, and it is too late for the Executive Committee to do so, such changes shall be enacted by the party officers (with input from the committee members) no later than December 1<sup>st</sup> after the organizational meeting.

**Section 3.** Except as herein before provided for, each Zone Committee shall meet no later than thirty (30) days following the county organization meeting, at a time and place so designated by the County Chair in accordance with Article One, Section Eight, and organize by the election of a Chair, Vice Chair, Secretary, Treasurer, Sergeant at Arms, and such other offices as are deemed necessary. Said officers shall hold office until the election of their successor in accordance with the Rules provided by the Executive Committee. The County Chair will designate an officer or some other person the Chair shall designate of the Erie County Democratic Committee to call said meeting to order. The candidate receiving a majority of the votes cast in accordance with Article Two, Section Five, shall be declared elected. Each candidate, if there is more than one, shall be entitled to appoint one teller to canvass the ballots, under the direction of the Officer of the County Committee designated by the County Chair to conduct said meeting.

**Section 4.** The presiding officer or secretary of such meeting shall, within three (3) days thereafter, executed a certificate of election of such officers and file said certificate with the office of the County Chair.

**Section 5.** In addition to the meeting called for in Article VII, Section Three, said Zone Committees shall meet at least once every three months, at a time and place so designated by the Chair of the Zone Committee, in Accordance with Article One, Section Eight. The meetings of said committee shall be open to the members of such committee only, provided however that the County Chair may attend such meetings, or designate someone to attend as a representative of the County Chair, if the County Chair so desires. No other persons shall be permitted to attend said meetings; however, this rule may be waived by a majority of Members in attendance at a meeting. Special meetings of any Zone Committee may be called by the County Chair at such time and place as the Chair may so designate in accordance with the provisions of Article One, Section Eight.

**Section 6.** At all zone meetings there shall no vote by proxy. One third of said Members shall constitute a quorum. The method of voting shall be determined by a majority vote of those present. For the purposes of this section, the officially published Statement of Canvass of the Erie County Board of Elections shall determine the amount of **weighted** votes to be cast by each member of the committee.

## **ARTICLE VIII - TOWN COMMITTEES**

**Section 1.** There shall be a Town Committee of the Democratic Party in the City of Lackawanna, City of Tonawanda, and in each of the remaining twenty-five Towns in the County of Erie, which shall consist of the Members of the County Committee from the election districts within each respective City or Town.

**Section 2.** Each Town Committee shall meet no later than thirty (30) days following the biennial organization meeting of the County Committee and organize by the election of a Chair, Vice Chair, Secretary, Treasurer and Sergeant at Arms, and such other officers that are deemed necessary, who shall hold office until the election of their successors in accordance with the rules therefore provided by the Executive Committee. The retiring Town Chair shall designate the time and place of such organizational meeting. The Secretary of the County Committee shall give notice to the members in accordance with Article One, Section Eight. If the retiring Chair fails to designate the time and place of said meeting as hereby provided, the County Chair shall designate the time and place to hold such meeting.

**Section 3.** The County Chair will designate an officer of the Erie County Democratic Committee or some other person the Chair shall designate to call said meeting to order. The candidate receiving a majority of the votes cast in accordance with Article Two, Section Five, shall be declared elected. Each candidate, if there is more than one, shall be entitled to appoint one teller to canvass the ballots, under the direction of the Officer of the County Committee designated by the County Chair to conduct said meeting.

**Section 4.** The presiding officer or secretary of such meeting shall, within three (3) days thereafter, executed a

certificate of election of such officers and file said certificate with the office of the County Chair.

**Section 5.** In addition to the meeting called for in Article VIII, Section Two, said Town Committees shall meet at least once every three months, at a time and place so designated by the Chair of the Town Committee, in Accordance with Article One, Section Eight. The meetings of said committee shall be open to the members of such committee only, provided however that the County Chair may attend such meetings, or designate someone to attend as a representative of the County Chair, if the County Chair so desires. No other persons shall be permitted to attend said meetings; however, this rule may be waived by a majority of Members in attendance at a meeting. Special meetings of any Town Committee may be called by the County Chair at such time and place as the Chair may so designate in accordance with the provisions of Article One, Section Eight.

**Section 6.** At all Town Committee meetings there shall be no vote by proxy. One third of said Members shall constitute a quorum. The method of voting shall be determined by a majority vote of those present. For the purposes of this section, the officially published Statement of Canvass of the Erie County Board of Elections shall determine the amount of **weighted** votes to be cast by each member of the committee.

### **ARTICLE IX - DISCIPLINING OF PARTY MEMBERS**

**Section 1.** The Executive Committee of the Erie County Democratic Committee shall be and is hereby vested with the power in its discretion, to remove any Member of the County Committee for the reasons specified in Section 2-116 of the New York State Election Law and with the power, in its discretion, to appoint a sub-committee to hear the charges and report its findings to the Executive Committee. Any Member of the County Committee sought to be removed pursuant to this Article shall have the right to appear with counsel and be heard by such sub-committee.

**Section 2.** Any Member of the County Committee believing any action of the County Committee or any subordinate committee or group to be in violation of any applicable law or the rules of the Democratic Party of the County of Erie, may by written notice delivered to the offices of the County Committee within seven (7) days of the action complained of, seek grievance review of said action by the County Committee Chair.

Upon receipt of such grievance notice, the County Chair shall investigate the matter promptly, notify the grievant if the complaints were “founded” or “unfounded” and take any corrective action deemed appropriate, within one week of the receipt of the grievance notice. Utilization of this procedure would not constitute a necessary precedent to commencement of any legal action or proceeding authorized by law to correct a claimed violation of party rules or law.

### **ARTICLE X – VILLAGE Endorsement Meeting**

**Section 1.** The Members of the County Committee from the Election Districts within an incorporated village of Erie County may hold a meeting to endorse candidates for Village Offices, substantially using the weighted vote procedures contained in Article I, Section 15.

### **ARTICLE XI - FINANCIAL MATTERS**

**Section 1.** Full compliance will be held with the disclosure and filing requirements of the New York State Election Law Article 14 and any other applicable law(s); and a biennial financial report of the County Committee shall be prepared and shall be posted on the party’s website with notice thereof to be contained in the meeting notice of the biennial re-organization meeting. Such report shall be prepared by a five (5) member Financial Oversight Subcommittee of the Executive Committee, appointed by the **County** Chair and confirmed by the Executive Committee, and shall provide a detailed report on expenditures and receipts, as well as any debts entered into by the Executive Committee including the amounts, parties owed, terms and guarantors, as applicable

The Financial Oversight Committee shall also have the power to review or audit the financial affair of the party committee, including the “housekeeping” committee and subordinate committees and shall report, regularly to the

Executive Committee about financial issues.

An audit of the financial records, including the income, expenditures, and outstanding liabilities of the party, shall be conducted by an outside independent firm, on an annual basis, with the report to be submitted to the Executive Committee.

**Section 2.** An Erie County Democratic Legislature Campaign Committee (ECDLCC) is established and authorized by these rules and shall constitute a party committee under Article 14 of the New York State Election Law. The Treasurer of the County Committee shall also be Treasurer of the ECDLCC.

## ARTICLE XII- JUDICIAL ADVISORY COUNCIL

**Section 1.** There shall be a Judicial Advisory Council, appointed by the County Chair, and designating a respective Chair thereof, which shall interview candidates for those judicial offices to be voted on by the Executive Committee, whose objective shall be of ensuring a fair, qualified, and diverse judiciary. Insofar as possible, the Council's membership shall include a broad cross section of the community and professional affiliations, with no greater than half of its members constituting the Executive Committee. Consideration shall be given to those with legal experience.

**Section 2.** Candidates for judicial office shall be afforded an opportunity to meet with the Judicial Advisory Council. Said Council shall ascertain the qualification of these candidates based upon the candidates' experience and knowledge of the law, judicial temperament, and moral character. No finding on the qualifications of any candidate shall occur until after a thorough inquiry has been made by the Council.

**Section 3.** The Council shall have the option of finding any candidate "Highly Recommended," "Acceptable," or "Not Recommended." To be "Highly Recommended," a candidate must receive more than 50 percent of the votes from the Council in favor of that categorization. To be found "Not Recommended," a candidate must receive more than 50 percent of the votes in favor of that categorization. In all other cases, the candidate shall receive an "Acceptable." The Judicial Advisory Council Chair shall provide an oral report of the candidate inquiry, inclusive of any finding determined, to the Executive Committee of the Erie County Democratic Party.

## ARTICLE XIII - INFORMATION AVAILABILITY

**Section 1.** A current list of all members of the Democratic County Committee, including the residence address and weighted vote apportioned to each Committee Member as required by New York State Election, 2-104, shall be available upon written request to any Member of the County Committee. Similarly, the current rules of the County Committee shall also be available. Only the cost of reproduction may be charged for any such request made, *the [delete "said"]* cost not to exceed \$.25 (twenty-five cents) per page.

## ARTICLE XIV - FILLING OF VACANCIES

**Section 1.** Whenever vacancies occur within the County Democratic Committee, such vacancies shall be filled by the election of an eligible person by a majority vote of the Committee Members within the respective Town or Zone Committee in which the vacancy occurred. All vacancies are to be filled within ninety (90) days after they occur, but no vacancies shall be filled between the time of the Primary Election at which Committee Members are elected and the County Committee Reorganization Meeting and no vacancies are to be filled until such time as the Zone or Town Committees *reorganize pursuant to [delete "reorganizes as per the aforementioned"]* Article *VII [delete "VI"]* and *VIII [delete "VII"]*.

*If [delete "In the event that"]* such local committees fail to fill such vacancies within ninety (90) days, the power to fill such vacancies may thereafter revert to the Executive Committee. Any local Zone or Town Committee which fills vacancies in accordance with this rule must, as soon as practical, notify the Secretary of the reason for the vacancy, the name and address of the person filling said vacancy, and any supporting documentation creating said vacancy.

**Section 2.** *If [delete “In the event that”]* a vacancy occurs in the office of Zone or Town Chair, due to death, resignation, or other disqualification of the Chair, the County Chair shall have the power to call a meeting of the Zone or Town members wherein the vacancy exists for the purpose of filling the vacancy. Within 90 days of the vacancy, the County Chair shall call the meeting and the Secretary of the County Committee shall give notice of the time and place of the meeting to elect a new Zone or Town Chair. The procedures set forth in Article VII for Zone Committees and Article VIII for Town Committees, for conducting the meeting and certifying the results, shall apply.

## **ARTICLE XV - APPOINTMENT OF ELECTION INSPECTORS**

**Section 1.** *It shall be the policy of the Erie County Democratic Committee to appoint Election Inspectors.* Each elected Committee Member may recommend to their Town or Zone Chair the names of persons to be *considered for appointment* [delete “ed” and “prospective inspectors”]. Those names shall then be submitted to the County Chair for consideration of appointment.

## **ARTICLE XVI – VIRTUAL MEETINGS**

**Section 1.** The County Chair shall be empowered to call “virtual” meetings to conduct party business of the Executive Committee (Article II), Special Committees (Article III), and the Judicial Advisory Council (Article XII) only when circumstances make it [Delete “impossible,”] unreasonable or unsafe for members to assemble in person to conduct business. Under these special circumstances, the County Chair shall also be empowered to authorize virtual meetings of subordinate committees. All virtual meetings must comply with the procedures of outlined in Section 2 of this Article.

**Section 2.** Virtual meetings shall be called and conducted using the following procedures:

- (a) Notification: E-mail or other electronic notification shall occur at least (4) days prior to the meeting and the specific circumstance requiring a virtual meeting shall be stated.
- (b) Proof of notice: A copy of the notice shall be maintained that includes the date sent, and the names and electronic addresses of all individuals notified.
- (c) Quorum:
  - a. A quorum shall be determined by a roll call by the Chair or the Chair’s designee of those indicated as participating in the virtual meeting and shall be deemed sufficient when the number required for quorum is reached.
  - b. A record of the quorum present shall be transcribed, by any reasonable means, of the names, phone numbers, e-mail addresses or other electronic identifiers that indicate an individual’s attendance at the virtual meeting.
- (d) Motions: On all motions, the motioner and seconder shall state his or her name before motioning or seconding.
- (e) Roll call voting: Roll call voting of meeting participants shall only be required in the event of a vote lacking unanimity when the voting outcome is not clear by voice vote.

**Section 3.** Required records: Records of notice, quorum and votes taken shall be maintained as with any other meeting.

## **ARTICLE XVII - AMENDMENTS, ADDITIONAL RULES, MISCELLANEOUS**

**Section 1.** These rules may be amended as provided by Section 2-114 of the New York State Election Law.

**Section 2.** Rules of Procedure - In all cases not provided for by law or by the Rules, the authority for parliamentary procedures for the County Committee and all subordinate committees shall be “Robert Rules of Orders,” latest edition, insofar as such rules of order may be appropriately applied.