

# Constitution of the Portage County Democratic Party

The members of the Central Committee of the Portage County Democratic Party hereby adopt this constitution and make provisions for bylaws for the organization of the Portage County Democratic Party.

## **Article One. Name.**

The name of this organization shall be the Portage County Democratic Party. In this constitution the term "County Party" shall mean the Portage County Democratic Party.

## **Article Two. Statement of Purpose.**

The purpose of the Portage County Democratic Party shall be to advance the principles of democracy in order to organize and promote a representative, effective and responsible party organization at all levels. Further to affiliate with, and advance the interest of the Democratic Party locally and for the State of Ohio, and nationally, to sustain and advance the principles of democracy, and uphold human and civil rights and constitutional government.

## **Article Three. Membership.**

### **Section 1. Requirements for Membership.**

Membership in this Party shall be open to all residents of Portage County who support the Constitution of the United States, the State of Ohio, and the Portage County Democratic Party, and who are not members of any other political party.

### **Section 2 *Ex officio* Members**

Any person elected to county-wide office in Portage County who became a candidate for such office by filing a Declaration of candidacy for the Democratic Party primary election for such office is a member of the Portage County Democratic Party by reason of election to such office. Any person elected as a member of the Portage County Democratic Central Committee is a member of the Portage County Democratic Party by reason of election to such office.

### **Section 3. Eligibility for County Party Office.**

The Chair, First Vice-chair, Second Vice-chair, Treasurer, and Secretary shall be members of the County Central Committee as required by Ohio Revised Code section 3517.04. Any person who meets the membership requirements of Article Three, Section 1, is eligible to serve in other offices.

#### **Section 4. Procedure for Determining Membership Requirements.**

In the event of a question as to whether any person meets the requirements of Article Three, Section 1, the procedure set out in Ohio Revised Code section 3513.19 shall be followed to determine whether a person may vote in a primary election.

### **Article Four. County Central Committee.**

#### **Section 1. Election of Members.**

The County Central Committee shall be made up of one person elected from each precinct in the County as provided by Ohio Revised Code section 3517.02. The members of the County Central Committee shall be elected in the primary election in years in which the candidate for Governor is elected, and shall serve for a term of four years. In this constitution the term "Central Committee" shall mean the Portage County Democratic Central Committee.

#### **Section 2. Vacancies.**

Any vacancy in the office of member of the county central committee for any precinct shall be announced by the Chair at the meeting of the Central Committee next following the occurrence of such vacancy. As provided in Ohio Revised Code section 3517.05, any resident of such precinct who meets the requirements of Article Three, Section 1, may apply for appointment to fill such vacancy, by letter or email to the Chair or to the Secretary of the County Central Committee within 30 days of the announcement of the vacancy. Notice of all such applications shall be announced to the members of the Central Committee at the next following meeting of the Central Committee. If there is only one application for a particular vacancy, the Central Committee *may* vote on whether to appoint the applicant to the position *either by a show of hands or by standing*. A majority vote of the members of the Central Committee attending such meeting shall be sufficient to approve the appointment. If there is more than one application for a particular vacancy, the members of the Central Committee shall vote for an individual applicant *by written ballot showing the candidate's name, the signature of the Central Committee member along with their printed legible name on each ballot.* When an individual applicant receives a majority vote of the members of the Central Committee attending such meeting, that individual shall be appointed to fill the vacancy. (Rev. 6-13-10)

#### **Section 3. Organizational Meeting, Election of Statutory Officers, Parliamentarian, County Executive Committee.**

**a.** The members of the County Central Committee shall meet for an Organizational Meeting after the certification of the election of the members by the County Board of Elections, as provided by Ohio Revised Code section 3517.04.

**b.** At the Organizational Meeting, the members of the County Central Committee shall elect the statutory officers: Chair, Vice-chairs, Treasurer, and Secretary by majority vote. *Vote shall be by written ballot showing the candidate's name, the signature of the Central Committee member along with their printed legible name on each ballot.* The statutory officers shall serve for a term of four years, until the Organizational Meeting following the next election of members of the Central Committee. (Rev. 6-13-10)

c. At the Organizational Meeting, the members of the County Central Committee shall also elect a Parliamentarian. Vote shall be by written ballot showing the candidate's name, the signature of the Central Committee member along with their printed legible name on each ballot. This officer shall serve for a term of four years, until the Organizational Meeting following the next election of members of the Central Committee. (Rev. 6-13-10)

d. The members of the County Central Committee shall adopt a resolution declaring the County Central Committee in its entirety to be the County Executive Committee so as to comply with Ohio Revised Code section 3517.03. Throughout this constitution, in all references to actions required by statute to be taken by the County Executive Committee, the phrase "County Central Committee" shall include the meaning "County Executive Committee".

#### **Section 4. Regular Meetings.**

The members of the County Central Committee shall meet four times in each calendar year at a place within Portage County. The schedule for regular meetings shall take into account the requirement for making a recommendation for appointment of a member of the County Board of Elections as described in Article Four, section 10. Notice of regular meetings of the County Central Committee shall be given to members of the County Central Committee as provided in Article Four, section 6.

#### **Section 5. Special Meetings.**

A special meeting of the County Central Committee may be called by the Chair at any time, upon notice to the members of the County Central Committee as provided in Article Four, section 6. A special meeting of the County Central Committee may be called by written request of at least twenty members of the County Central Committee delivered to the Chair or to the Secretary of the County Central Committee. Upon receipt of such written request by the Chair or by the Secretary, notice shall be given to the members of the County Central Committee as provided in Article Four, section 6.

#### **Section 6. Notice of Meetings.**

Notice of any meeting of the County Central Committee shall specify the time and place of such meeting, which place shall be within Portage County, Ohio, and, if a special meeting or if otherwise required by statute, shall state the purpose of the meeting. Notice shall be sent in writing through regular United States Postal Service mail to all members of the county Central Committee not less than five (5) days in advance of the meeting unless otherwise provided by law. Members of the County Central Committee who have notified the Secretary that they prefer to be notified of meetings by email, may be notified by email rather than by postal mail, except that such members shall also be notified by postal mail if required by Ohio Revised Code section 305.02. Notices shall be sent by the Secretary, or, in the absence of the Secretary, by another member of the County Central Committee appointed by the Chair. In compliance with Ohio Revised Code 122.22, notice with a copy of the proposed agenda of the meeting, shall be posted on the Internet website of the County Democratic Party, and notice shall be sent to the local newspaper and to any other news media organizations which have previously requested

**notification in writing, not less than seven (7) days in advance of the meeting, unless otherwise provided by law.** (Rev. 6-13-10)

**Section 7. Quorum for Official Business.**

One-third the total number of members of the County Central Committee shall constitute a quorum for conducting any business of the Central Committee unless otherwise provided by statute.

**Section 8. Meeting Procedure.**

Any matters of procedure in any meeting of the County Central Committee, which are not specifically provided by statute or in this constitution, shall be governed by Roberts Rules of Order, 10<sup>th</sup> Edition. The Parliamentarian shall make the final decision on any question of procedure.

**Section 9. Vacancy in County Public Office.**

As provided in Ohio Revised Code section 305.02, the County Central Committee shall appoint a person to fill a vacancy in County elective public office when the person holding such office prior to such vacancy was affiliated with the Democratic Party, or when a person elected to a County Elective office as a candidate of the Democratic Party is unable to take such office. A special meeting of the County Central Committee shall be called no sooner than five days and no later than forty-five days from the occurrence of such vacancy for the purpose of appointing a person to fill such vacancy. Any person who wishes to be considered by the Central Committee for appointment to such vacancy may deliver a written application for such appointment to the Chair or to the Secretary of the Central Committee. The Chair may, in the Chair's discretion, appoint a Candidate Committee to review such applications, interview such applicants, and make a report to the Central Committee. The Chair shall permit all of the applicants to address the special meeting of the Central Committee with equal time limitations. The vote of the Central Committee shall be by **written ballot showing the candidate's name, the signature of the Central Committee member along with their printed legible name on each ballot.** When an individual applicant receives a majority vote of the members of the Central Committee attending the special meeting, that individual shall be appointed to fill the vacancy, as provided by Ohio Revised Code section 305.02(C). (Rev. 6-13-10)

**Section 10. Recommendation of Member of County Board of Elections; Vacancy.**

As provided in Ohio Revised Code section 3501.07, in even-numbered years no later than February 13 of such year, the County Central Committee shall make a recommendation to the Secretary of State for the appointment of a member of the Portage County Board of Elections. For purposes of this recommendation, the County Central Committee shall act as the County Executive Committee so as to comply with the language of said section 3501.07. The County Central Committee shall make the original recommendation for appointment to the County Board of Elections. If a vacancy in such office occurs, a special meeting of the County Central Committee shall be called no sooner than five days and no later than fifteen days from the occurrence of such vacancy for the purpose of recommending a person to fill such vacancy.

**Section 11. Other authorities and duties of the County Central Committee.**

**a.** The County Central Committee shall have custody of the funds of the Portage County Democratic Party, shall have the authority to expend such funds, and shall have the duty to account for such funds. The County Central Committee shall have the authority to raise funds in the name of the County Party.

**b.** The County Central Committee shall have the duty to keep a record of all official acts of the County Central Committee and of the County Party, and to make that record available to members of the Party.

**c.** The County Central Committee shall have authority to hire employees; to contract for services including technical services, communications, and publicity; to purchase supplies and equipment; and to acquire office space and pay expenses of such office for the County Party.

**Section 12 :**

No secret ballots shall be permitted. Elections of members of the Executive Committee, recommendations to the Secretary of State for board members for the Board of Elections, endorsements of candidates, and for precinct committee members with two or more applicants for the same precinct, shall be by written ballot showing the candidate's name, the signature of the Central Committee members along with their printed legible name on each ballot. All other actions requiring a vote by the Central Committee may, at the discretion of the Chair, be either by a show of hands or by standing. Written ballots will be retained by the Secretary for a period of 60 days and may be reviewed upon receipt of a written request.

**Article Five. Officers.**

**Section 1. Statutory Officers of the County Central Committee.**

Ohio Revised Code section 3517.04 requires that the members of the Central Committee shall elect the Chair, Vice-chairs, Treasurer, and Secretary, at the Organizational Meeting of the County Central Committee. These officers of the County Central Committee shall serve as the officers of the Portage County Democratic Party during the term of each such officer as an officer of the County Central Committee.

**Section 2. Oath of Office.**

As required by the Bylaws of the Ohio Democratic Party, Chapter 13, all officers of the Portage County Democratic Party and of the County Central Committee shall, upon election, take an oath of office to support the Constitution of the United States of America, the Constitution of the State of Ohio, the Constitution, Bylaws, and principles of the Ohio Democratic Party, and the Constitution and Bylaws of the Portage County Democratic Party, and to faithfully, honestly, and impartially discharge the duties of their respective office.

**Section 3. Chair.**

The Chair is the chief executive officer of the Portage County Democratic Party. The Chair shall preside at meetings of the County Party and at meetings of the County Central Committee. The Chair shall appoint or remove members of the Standing Committees and designate the chair of such committees. The Chair may appoint *ad hoc* committees or designate individuals, to perform particular responsibilities, except those responsibilities specifically allocated by statute or by this constitution to the Secretary or to the Treasurer or to the Standing Committees. The Chair shall approve any communications issued on behalf of the County Party to the public media. The Chair shall have the authority to execute contracts on behalf of the County Party upon the approval of the County Central Committee as set out in Article Four section 11. The Chair shall facilitate communication and cooperation with the Democratic National Committee, the Ohio Democratic Party, other county and local Democratic Party organizations, other organizations engaged in political campaign activities, and with public officials and candidates for public office.

**Section 4. Vice-Chairs.**

There shall be two Vice-Chairs, designated as First Vice-chair and Second Vice-chair. The First Vice-chair shall serve as the Chair in case of the death, resignation, incapacity, removal or permanent absence of the Chair, and shall, in such event, have the same powers, duties and responsibilities as the Chair and shall serve the remainder of the unexpired term. The first Vice chair shall serve as Acting Chair in the event of the temporary absence of the Chair during such absence. The Second Vice chair shall serve as the First Vice-chair in case of death, resignation, incapacity, removal, permanent absence, or promotion of the First Vice-chair. The Chair may delegate other responsibilities to the Vice-Chairs in the discretion of the Chair.

**Section 5. Secretary.**

The Secretary shall have custody of all official records of the Portage County Democratic Party and of the County Central Committee, other than financial records required to be kept by the Treasurer, specifically including the record of members and officers of the County Central Committee and the minutes of all meetings and records of notices of all meetings sent to the members of the County Central Committee. The Secretary shall notify the Board of Elections and the Secretary of State of the current membership and statutory officers of the County Central Committee and any changes in that membership or officers, as required by Ohio Revised Code sections 3517.02 and 3517.06. Copies of the record of membership and minutes of meetings shall be available for inspection by members of the County Party and available to the public and news media upon reasonable notice. The original records and minutes shall be maintained by the Secretary and, at the conclusion of any Secretary's term in office, immediately delivered to the successor Secretary for which proper receipt shall be acknowledged. The Secretary shall maintain a record of all correspondence with the Democratic National Committee, Ohio Democratic Party, other county and local

Democratic Party organizations, other organizations involved in political campaign activities, and with public officials and candidates for public office. With the approval of the Chair, an assistant Secretary may be designated to manage correspondence other than that reporting which is required of the Secretary by statute.

**Section 6. Treasurer.**

The Treasurer shall have custody of the funds and financial records of the Portage County Democratic Party and of the County Central Committee, and shall make a report of the current funds and financial records at each meeting of the County Central Committee. The Treasurer shall keep an account of all receipts and expenditures of the County Party and of the County Central Committee. The Treasurer shall prepare and file with the Board of Elections such reports of contributions and expenditures of the County Party as are required by Ohio Revised Code section 3517.10. Copies of such reports shall be available for inspection by members of the County Party and available to the public and news media upon reasonable notice. The Treasurer and any other party officer or employee responsible for the handling of party funds shall post a bond for the proper performance of the duties of such office, in an amount twice the amount of all funds in the County Party accounts as of December 31<sup>st</sup> of the previous year. The premium for such bond shall be paid from the treasury of the Portage County Democratic Party. The Treasurer shall co-operate with the Audit Committee in the performance of the annual audit. The original records of receipts and expenditures shall be maintained by the Treasurer and, at the conclusion of the Treasurer's term in office, immediately delivered to the Audit Committee for end-of-term audit prior to delivery of said records to the successor Treasurer, for which proper receipt shall be acknowledged. With the approval of the Chair, an assistant Treasurer may be designated to assist with the financial records of the Portage County Democratic Party other than that reporting which is required of the Treasurer by statute.

**Section 7. Parliamentarian.**

The Parliamentarian shall be elected by majority vote of the members of the County Central Committee present and voting at the Organizational Meeting and shall serve until the next succeeding Organizational Meeting. The Parliamentarian shall decide any question of order or procedure, which arises during a meeting of the County Party, or of the County Central Committee.

**Section 8. Audit Committee.**

The Audit Committee is a Standing Committee of the Portage County Democratic Party. The Audit Committee shall consist of three or more members (not officers) appointed by the chair of the County Party with the approval by a majority vote of the Central Committee members attending the meeting. The Audit Committee shall audit the financial records of the County Party at the end of each calendar year and at the end of each term of the Treasurer, and make a report of each such audit to the County Central Committee within sixty days of the end of each such audit period. The report of the Audit Committee may be a written report delivered to the Chair or to the Secretary if there is not a meeting of the Central Committee held during such time

period. The Audit Committee shall make such other audits as the Chair of the County Party or any member of the Audit Committee may request.

**Section 9. Finance Committee.**

The Finance Committee is a Standing Committee of the Portage County Democratic Party. The Finance Committee shall consist of three or more members appointed by the Chair of the County Party with the approval by a majority vote of the Central Committee members attending the meeting. One of these members may be the Chair of the County Party. The Finance Committee shall organize fundraising activities for the County Party. The Finance Committee may be authorized by the Chair of the County Party to co-operate with other organizations or with candidate campaign committees in organizing joint fundraising events. The Finance Committee shall coordinate scheduling of fundraising events with other organizations and with candidate campaign committees so as to avoid conflicts and maximize fundraising opportunities. The Finance Committee shall compile a calendar of fundraising events and publicize such calendar to the members of the County Party and to the public, including publicity through the County Party Internet website.

**Section 10. Ad Hoc Committees.**

The Chair may, in the discretion of the Chair, appoint such *ad hoc* committees or delegate responsibilities to individual members as the Chair shall deem appropriate to further the purposes of the County Party as set forth in Article Two.

**Section 11. Vacancies.**

In the event of a vacancy in any of the County Party offices, other than the Chair or First Vice-chair, that vacancy shall be filled in the same manner as referred to in Article Four, Section 2 for filling a vacancy in the County Central Committee.

**Section 12. Removal of officers.**

Any officer may be removed from office before the end of the term to which that officer was elected, by a vote of the majority of the total number of members of the County Central Committee, at a regular or special meeting of the County Central Committee. A vote on the removal of an officer may be called by the Chair, or by the written request of at least twenty members of the Central Committee. When a vote on the removal of an officer is to be taken, an announcement that such vote will be taken must be included in the Notice of Meeting sent to the members of the County Central Committee of the meeting at which the vote is to be taken. The Chair shall call a vote on the removal of an officer on the occurrence of any of the following:

1. Failure of an officer to attend three consecutive meetings of the County Central Committee.
2. Failure of an officer to make available to the members of the County Central Committee any records of the County Central Committee which this Article requires that officer make available.



3. Failure of an officer to co-operate with the Audit Committee in the completion of an audit required by Section 8 of this Article.

4. A report of the Audit Committee that the financial records have not been approved by the Audit Committee at an audit required by Section 8 of this Article.

## Article Six. Conformance to Ohio Democratic Party Constitution and Bylaws.

### **Section 1. Party Operations.**

The operations of the Portage County Democratic Party and the County Central Committee shall be conducted in conformance to the requirements of the Constitution and Bylaws of the Ohio Democratic Party.

### **Section 2. State Convention Delegates.**

Delegates from Portage County to the State Convention of the Ohio Democratic Party shall be designated by the Chair as soon as practicable after notification of the County Party by the Ohio Democratic Party of the number of delegates apportioned to Portage County. In the event the Executive Committee of the Ohio Democratic Party adopts a procedure for selection of delegates from counties pursuant to the Bylaws of the Ohio Democratic Party, Chapter Five, section 2, and communicates that procedure to the County Party, such procedure shall be followed by the County Party to the extent practicable. In the absence of a specific procedure adopted by the Ohio Democratic Party, the Chair of the County Party shall designate delegates who are members of the County Party, in accordance with the principles of delegate selection contained in the national guidelines for selection of delegates to the Democratic National Committee. Delegates shall be divided between men and women as equally as possible.

### **Section 3. Assessments by Ohio Democratic Party.**

The County Party shall pay such assessment as may be levied by the Finance Committee of the Executive Committee of the Ohio Democratic Party as required by the Bylaws of the Ohio Democratic Party, Chapter Ten, section 2.

## Article Seven. Endorsements.

### **Section 1. Statewide Candidates, Primary Elections.**

In any Democratic primary election for statewide office in which the Executive Committee of the Ohio Democratic Party has made an endorsement of a candidate, the County Party shall support such endorsed candidate. In a Democratic primary election for statewide office in which the Executive Committee of the Ohio Democratic Party has met pursuant to the Bylaws of the Ohio Democratic Party, Chapter Nine, and has not endorsed a candidate, the County Central Committee may consider an endorsement as provided in Article Seven, section 4.

### **Section 2. District Candidates, County Candidates, Primary Elections.**

In any Democratic primary election for district office, which district includes Portage

County, and in any Democratic primary election for countywide or municipal office in Portage County, the County Central Committee may make an endorsement as provided in Article Seven, section 4.

**Section 3. Local Candidates or Issues, Non-partisan General Elections.**

In any non-partisan general election for countywide, municipal, township, or other local office or issue, within Portage County, the County Central Committee may make an endorsement as provided in Article Seven, section 4.

**Section 4. Procedure for Endorsement.**

a. A special meeting for the purpose of considering endorsements may be called by the Chair or by written request of members as set out in Article Four, section 5, with notice to the members of the County Central Committee as set out in Article Four, section 6.

b. Any candidate or issue committee seeking the endorsement of the Portage County Democratic Party may deliver a written request for such endorsement to the Chair or to the Secretary of the Central Committee. The Chair may, in the Chair's discretion, appoint a Candidate and Issue Committee to review such applications, interview such applicants, and make a report to the Central Committee.

c. The Chair shall, pursuant to the Bylaws of the Ohio Democratic Party, Chapter Seven, section 5. permit all of the candidates or issue representatives to address the special meeting of the Central Committee. The County Central Committee may endorse one or more of said candidates upon the affirmative vote of one-half of the total number of members of the County Central Committee plus one. The question to be submitted to the County Central Committee shall be whether such candidate or issue shall be endorsed by the Portage County Democratic Party. Any member of the County Central Committee may vote in the affirmative for as many candidates for the nomination as desired.

d. The vote of the Central Committee shall be by written ballot showing the candidate's name, the signature of the Central Committee member along with their printed legible name on each ballot. . If a special meeting is called for the purpose of considering endorsements and fewer than one-half the total number of members of the Central Committee attend such meeting, no vote shall be held on the question of endorsements. (Rev. 6-13-10)

e. Any candidate receiving the vote of one-half of the total number of members of the County Central Committee plus one, shall be considered to be endorsed and a public announcement of said endorsement shall be issued forthwith.

**Article Eight. Adoption of Bylaws; Amendment of Constitution.**

**Section 1.** This constitution may be amended by a vote of two-thirds of the members of the County Central Committee present at a meeting called for the purpose of amending this constitution. All proposed amendments must be submitted in writing to the Chair or Secretary of the County Central Committee at least ten days in advance of the meeting at which the proposed amendments are to be considered, and copies of all proposed amendments shall be sent to each member of the Central Committee

with the notice of meeting as provided in Article Four, section 6. Any amendment shall be effective immediately upon approval by the County Central Committee. Notice of the approval of any amendment to this constitution shall be reported to the Chair of the State Executive Committee of the Ohio Democratic Party as required by the Bylaws of the Ohio Democratic Party, Chapter 7.

**Section 2.** The County Central Committee may adopt proposed bylaws by majority vote of members attending a meeting. No bylaw may be adopted which conflicts with the Constitution and Bylaws of the Ohio Democratic Party or with this constitution, as stated in section 2. All proposed bylaws must be submitted in writing to the Chair or Secretary of the County Central Committee at least ten days in advance of the meeting at which the proposed bylaws are to be considered, and copies of all proposed bylaws shall be sent to each member of the Central Committee with the notice of meeting as provided in Article Four, section 6. Any bylaw shall be effective immediately upon approval by the County Central Committee.