



MARICOPA COUNTY

DEMOCRATIC PARTY

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The Bylaws
of the
Maricopa County Democratic Party

As Amended by
The Maricopa County Democratic Party Committee
July 11, 2015

MCDP Bylaws Committee
Robert Donat, Chair

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Preamble

We, the Democratic County Committee of Maricopa County, Arizona, in order to help establish our county as a society that values every human being, embraces public policies that protect and assist our most vulnerable members, protects the environment, and seeks innovations that improve the quality of life of our citizens, hereby establish these Bylaws. We support Democratic values as set forth in the Charter of the Democratic Party of the United States, most particularly in the Preamble and the Credo. The term committeeperson(s) used throughout these bylaws will equate to the term committeeman in the statutory title.

Article I Name

The name of this organization is Maricopa County Democratic Party, hereinafter referred to as MCDP.

Article II Mission

The mission of the MCDP is to elect Democrats to public office who embrace the values of the Democratic Party.

In order to further this mission, the MCDP:

- Works to increase the number of people registered as Democrats in Maricopa County
- Recruits, trains, and promotes registered Democrats as candidates for elected office, supports their campaigns, and assists them while they hold office
- Works for and promotes accurate, transparent, and fair elections
- Raises funds to support the above activities and to advance the mission
- Conducts other activities as appropriate to strengthen and promote the aims and objectives of the Democratic Party
- Works to Get Out the Vote

Article III Members

Section 1: Membership

All Democratic Precinct Committeepersons (hereafter called PCs), activists and volunteers in the Democratic Party in Maricopa County are members of the MCDP. Voting rights are restricted to elected and appointed Precinct Committeepersons.

Section 2: Duties of Membership

Members shall be actively involved in the business of the party including attending District and MCDP meetings and performing those duties set forth in Article IV section 3.

Section 3: Affirmative Action

Discrimination in membership and in the conduct of Democratic Party affairs on the basis of sex, race, age, color, creed, national origin, religion, economic status, sexual orientation, gender identity, ethnic identity or disability is prohibited. To that end the MCDP shall act affirmatively to develop and implement appropriate educational, training, fundraising and outreach programs. All efforts shall be directed at bringing underrepresented groups into the party organization. Goals and timetables for achieving participatory representation shall be established and reported to the Executive Committee.

Article IV Organization and Governance

Section 1: Legal environment

MCDP operates within the laws of the United States and the State of Arizona and under the Charter and Bylaws of the Democratic National Committee and the Arizona Democratic Party.

Section 2: Governance and Overview

Precinct Committee Persons elected and appointed (A.R.S. § 16-822) serve as the District committee members of their respective Legislative Districts and as members of the MCDP Committee.

Each Legislative District is governed by officers who are elected by the District Committee. These officers constitute the District Executive Board.

The MCDP County Democratic Committee (all PCs in the county) is the governing body of the MCDP. Officers are elected by the MCDP Committee. Elected and appointed MCDP officers and the Legislative District Chairs constitute the MCDP Executive Committee.

The Executive Committee provides leadership for the organization. (A.R.S. § 16-821 Article 2).

The Executive Board acts on behalf of the Executive Committee between Executive Committee meetings.

Section 3: Precinct Committee (A.R.S. § 16-822)

In each precinct there shall be a precinct committee consisting of the elected and appointed Precinct Committeepersons (PCs), Democratic precinct volunteers and other party volunteers. These members may elect a Precinct Captain.

PCs are ballot-elected according to A.R.S. § 16-821 during primary elections. PC vacancies are filled by appointment. The County Board of Supervisors appoints PCs from a list of names submitted by the MCDP Chair. The MCDP Chair compiles the list from names submitted by District Chairs. The MCDP Chair may directly appoint Precinct Committeepersons to vacant precinct committee positions in the event the District Committee is unable to do so or fails to do so.

Each appointed precinct committeeperson shall sign a nomination form, which states: "I agree to serve as a Precinct Committeeperson. I have read and understand the duties of precinct committeeperson as set forth in these bylaws. Article IV Section 3."

Whether or not the quota for PCs in a precinct has been met, Democratic precinct volunteers are welcome and encouraged to participate in district and MCDP meetings.

Members and volunteers are to assist the party in voter registration and assist Democratic voters on Election Day (A.R.S. §16-822). In addition, PCs are expected to attend meetings, support Democratic candidates and assist with fundraising activities.

A PC shall be deemed to have resigned from office if they move out of the precinct, changes political parties, or supports opposition candidates in partisan races. (See Article X Section 2 A)

Article V Legislative District Committee

Section 1: Membership

The Democratic PCs and volunteers shall constitute the Legislative District Committee.

Section 2: Elected Officers

Elected District officers are the Chair, Vice Chairs, Secretary, and Treasurer. One person may serve as Secretary and Treasurer. Together these officers constitute the District Executive Board.

Section 3: Election of District Officers

The ballot elected PCs of each district shall meet no earlier than the second Saturday after the General Election in November and no later than the first Saturday in the following December for the purpose of electing from their number a District Chair, two Vice Chairs, Secretary, Treasurer and other such officers as the district bylaws mandate. The Chair of the MCDP Bylaws 3 District Committee shall be a member of the MCDP Executive Committee in which a plurality of the district's registered voters reside.

No later than fifteen (15) days before the district organizational meeting, each incumbent Legislative District Chair shall designate a time and a place for the meeting provided for in the foregoing paragraph and shall notify the MCDP Chair of said time and place. The MCDP Chair shall mail written notice of the time and place of each district meeting provided for in this section, 10 days in advance, to all PCs of each district who were elected at the primary election. (See Article VIII Section 3 b for email notification)

In the event that a District Chair fails to comply with the preceding paragraphs, the MCDP Chair shall designate the time and place for the meeting of the district and shall notify the PCs as provided for above.

Section 4: Duties of the District Chair

The duties of the District Chair shall include but not be limited to:

- A. Lead the district on behalf of the Democratic Party and its candidates.
- B. Hold district meetings at least every other month in off election years and once each month during election years unless canceled in advance at a regular district meeting. In the event that the Chair is unable to attend a District meeting, the Chair shall advise one of the Vice Chairs to call and conduct the meeting.
- C. Carry out directions of the MCDP Chair and the MCDP Executive Committee.

- D. Attend all Executive Committee meetings called by the MCDP Chair or send a statutory officer who will have voting rights as a designee.
- E. Assist in the organization, maintenance and support of Democratic Clubs.
- F. Organize and promote voter registration drives within their district.
- G. Encourage financial support of the MCDP.
- H. Hold District Executive Board meetings at least three (3) times per year to set District goals and priorities.
- I. Identify and nominate Democrats to be Election Board workers (poll workers) from each precinct in the District if not done by the PCs in a timely manner. (See Article XIII)
- J. Encourage District participation in MCDP committees and activities.

Section 5: Duties of District Officers other than Chair

The elected officers of the District constitute the Executive Board of the District. Their duties shall include but not be limited to:

- A. **Vice Chairs** - The vice chairs shall assist the Chair in the performance of their duties, act as Chair in their absence and perform such other duties as may be assigned by the District Chair.
- B. **Secretary** - The secretary shall record and archive minutes of all meetings of the Legislative District Committee and the District Executive Board. The secretary shall also keep records of the district organization, including the names of all precinct captains, precinct committee persons, and other party volunteers. The secretary shall correspond with and keep record of communications with the District Committee and MCDP Committee. The secretary shall perform such other duties as may be assigned by the District Chair.
- C. **Treasurer** - The treasurer shall receive all monies of the District Committee, giving receipts where necessary, and shall deposit them in such banks as shall be designated by the District Committee. The treasurer shall disburse the funds of the District Committee in the amounts and manner approved by the District Committee and shall keep a record of all receipts and disbursements for the purposes of filing a monthly written report of these transactions to the District Committee. The treasurer shall register the district as a continuing political organization and prepare and submit the required financial reports to the Secretary of State. The treasurer shall be removed from office for dishonesty, malfeasance, or the failure to timely perform statutorily required duties. No treasurer shall permit an unlawful political contribution.

Article VI MCDP County Committee

Section 1: Membership

The County Committee shall consist of all the PCs within the County.

Section 2: Elected Officers

The regular elected officers of the MCDP are Chair, First and Second Vice Chairs, Secretary, Treasurer, and Sergeant-at-Arms who together constitute the Executive Board.

Section 3: Duties of Officers

The duties of the regular officers of the MCDP Committee shall include but not be limited to:

- A. The MCDP Chair shall direct the affairs of the party as its administrative officer. The Chair shall preside over all meetings of the MCDP Committee (all PCs) and MCDP Executive Committee. The MCDP Chair shall lead the MCDP Caucuses and the MCDP State Committee delegation during State Committee meetings. The Chair shall appoint such committees as are deemed necessary to carry out the programs of and policies of the party. The Chair shall submit a proposal for the annual budget at the first meeting of the Executive Committee. The Executive Director, if there is one, shall be hired and evaluated by the Chair with the advice of the Executive Board. In the event of the death, resignation or removal of the chair, or if the Chair seeks political office, the first Vice Chair shall become acting Chair pending the election of a new Chair.
- B. The First and Second Vice Chairs shall assist the Chair in the performance of their duties and perform such duties as assigned by the Chair.
- C. The Secretary shall keep records of all meetings of the MCDP Committee, the Executive Committee and the Executive Board. They shall keep a roll of members of the MCDP Committee; a copy of the formal reports of its officers and subcommittees and a copy of all resolutions adopted by the MCDP Committee and shall perform other duties as assigned by the Chair.
- D. The Treasurer shall receive all monies of the organization, giving receipt therefore, and shall deposit them in such bank or banks as shall be designated by the Executive Board. The treasurer shall disburse the funds of the organization in the manner approved by the Executive Committee and shall keep a record of all receipts and disbursements and shall make a monthly report thereof. The Treasurer shall give bond for the faithful discharge of his/her duties in such sum as shall be required by the Executive Committee. The treasurer shall register the district as a continuing political organization and prepare and submit the required financial reports to the Secretary of State. The treasurer shall be removed from office for dishonesty, malfeasance, or the failure to timely perform statutorily required duties. No treasurer shall permit an unlawful political contribution.
- E. The Sergeant-at-Arms shall maintain order and be the Parliamentarian at all meetings of the MCDP Committee and MCDP Executive Committee, shall keep an active inventory of all the property of the MCDP, and shall perform other duties as assigned by the Chair.

Section 4: Executive Committee

The Executive Committee consists of the MCDP elected officers, and the legislative district chairs. The Executive Committee shall meet regularly each month with the exception of November and December at a time and place designated by the Chair. In the absence of a District Chair another elected officer of a District may vote. There shall be no proxy voting.

Section 5: Appointed Officers

The Chair shall appoint Chairs of the Standing Committees and a General Counsel. Appointed Officers shall serve at the pleasure of the Chair and not be voting members of the MCDP Executive Committee without the consent of three-fourths vote of the Executive Committee present and voting. Not more than two officers shall be appointed from the same legislative district; all shall be precinct committee persons.

Section 6: Vacancies in the Executive Committee of Regular Officers

If a regular officer of the MCDP Committee resigns, is removed from office or dies, their office shall be filled by a majority vote of the members of the MCDP Executive Committee at a meeting. Such officer shall serve in an interim capacity until the next MCDP Committee meeting. If an MCDP officer is absent for three consecutive Executive Committee meetings without cause, such absence shall be deemed a resignation.

Section 7: Budget

The Chair and Treasurer shall submit an annual operating budget to the Executive Committee each January for review. The Executive Committee shall approve an operating budget at the February meeting.

Article VII Committees

Section 1: Standing Committees

There shall be the following Standing Committees: Affirmative Action, Bylaws, Candidate Recruitment and Training, Council of Clubs, Election Integrity, Finance, Fundraising, Organization and Party Building, Veterans Outreach, Voter Registration. Committee Chairs are appointed by the MCDP Chair.

Section 2: Membership

Membership on each standing committee shall be open to registered Democrats in Maricopa County who are willing to serve as members.

Section 3: Duties

- **Affirmative Action** - Develops and implements educational, training, and outreach programs to expand leadership opportunities and civic participation by all parts of our community.

- **Bylaws** - Keeps the bylaws of the party consistent with the aims and policies of the Party and proposes changes. The Bylaws Committee shall report to the MCDP and shall recommend approval, rejection or amendment of all bylaw amendments. Changes must be submitted to the 30 days in advance of a MCDP Committee meeting so they can be reviewed, recommended action made and same mailed with the Committee meeting notification.
- **Candidate Recruitment and Training** - Identifies, recruits and develops candidates for the several elected offices at state, county and local levels.
- **Council of Clubs** - Facilitates communication between the MCDP and Democratic clubs.
- **Election Integrity** - Examines issues relating to fairness, accuracy, uniformity, and transparency of election processes and proposes action when appropriate.
- **Fundraising** - Creates and implements a plan for raising funds which will meet the adopted budget goals.
- **Organization and Party Building** - Organizes and builds the PC base and works to build the sense of community among Democrats.
- **Public Relations and Education** - Builds external and internal communication systems to build a sense of community within the party and build a favorable image in the public eye.
- **Veterans Outreach** - Serves to give Veterans a voice in the Democratic Party, counsel the Democratic Party on Veterans issues, and coordinate outreach to the Veterans community.
- **Voter Registration** - Plans and executes events, activities and programs to register Democrats.

Section 4: Ad Hoc Committees

Ad hoc Committees may be established by the Chair.

Article VIII Meetings

Section 1: Statutory Meeting

The Statutory or Organizational Meeting of the MCDP Committee shall convene as provided for in A.R.S. § 16-824 and shall conduct business and elect MCDP Executive Board officers. This meeting shall be held at a date, time and place to be designated by the MCDP Chair. The Secretary shall provide written notice of the meeting to all PCs not less than fourteen (14) days prior to the meeting. No proxies shall be allowed at this meeting.

Section 2: Other Meetings

The MCDP Committee shall have two regular meetings during each calendar year. The MCDP Chair shall select the date, time and place for such meetings. The MCDP Chair may call other meetings of the MCDP Committee from time to time and fix the date, time and place of said meetings. The MCDP Chair shall call a MCDP Committee meeting upon receipt of a petition signed by not less than fifty (50) qualified precinct committee persons from five or more District Committees. The petition must include an agenda for the meeting. The Chair shall call said meeting for a time not more than thirty (30) days from the date of receipt of the petition.

Section 3: Notice for all Meetings

The Secretary shall provide written notice to members of the MCDP Committee twenty-one (21) days in advance as to the date, time and place for such meetings. Notice shall include a tentative agenda. Notice may be provided:

- A. By U. S. Postal Service, mailed at least twenty-one (21) days (postmarked or bulk mail receipt from the Post Office) prior to the meeting.
- B. By email, provided recipients have opted in and authorized this means of notification, otherwise notice will be sent by U.S. Postal mail.
- C. By posting the meeting information on the MCDP website, provided that this method has been approved by the Executive Committee, for a specific meeting and notice is mailed to those who are eligible to attend but have not opted in to email notification and authorized this method of notification.

Section 4: One Person, One Vote

Notwithstanding that an individual may occupy more than one office of the MCDP Committee or MCDP Executive Committee, only one vote shall be exercised by each person on any action or decision.

Section 5: Programs for Meetings

The MCDP Executive Committee shall approve the program and agenda for MCDP Committee meetings. The agenda shall be presented for approval at the beginning of such meetings, except that the agenda for meetings requested by petition shall be that supplied with the petition.

Section 6: Debate

Reports of committees, communications to the members of a meeting, resolutions presented, and all motions may be debated unless by a two-thirds vote the meeting body decides to dispose of them without debate. No delegate or member shall speak longer than three minutes at one time except as provided in the order of the day or by a vote of the majority of the members present.

Section 7: Rules of Order

At all meetings prescribed by or held under the auspices of these Bylaws, unless otherwise specifically provided in these Bylaws, Roberts Rules of Order Newly Revised shall govern the conduct of business and other procedures.

Section 8: Open meetings

All meetings of the MCDP shall be open to the public.

Article IX Election of MCDP Officers

Section 1: Nomination

All nominations shall be made from the floor of the MCDP Committee meeting. Any ballot-elected or subsequently appointed PC may be eligible for any elective office, but no person shall be submitted as candidate without the consent of such person.

Section 2: Voting

In all cases where there is more than one candidate for an office of the MCDP Executive Board, voting shall be done by PC's individually.

Section 3: Manner of Election

If there is one candidate for an office, that candidate may be elected by acclamation. If there are two candidates for an office, the winner must have a majority vote of the ballot elected and appointed PCs present. If there are three or more candidates, they shall be elected using an Instant Runoff Voting System, which has been approved by the Executive Committee.

Section 4: Proxies

No proxy voting shall be permitted.

Article X Removal from Office

The following procedures shall govern the removal of any officer of a District Committee or the MCDP Executive Board or any Precinct Committeeperson.

Section 1: Cause of Action

Cause for removal is defined as noncompliance with the duties of the office as stated in MCDP or District bylaws, malfeasance and/or noncompliance with statutes by the person whose removal is sought.

Section 2: Procedure for Removal

The following persons or groups of persons may seek removal of an officer of a District Committee or the MCDP Executive Board or Precinct Committeeperson by following these procedures:

- A. **Precinct Committeeperson** -- A majority of a District Executive Committee may vote to seek removal of a Precinct Committeeperson, a precinct captain or district officer (including chair) in that district. In addition to other provisions of law and these bylaws regarding removal from office, if the PC moves from the precinct from which s/he was elected or changes the political party from the party from which s/he was elected, the PC shall be deemed to have resigned from office. (A.R.S. § 16-822 C)
- B. **District Officer** -- PCs consisting of at least twenty percent (20%) of the total PCs in a District, may petition to remove a District Officer by signing a petition containing specific written reasons for removal and delivering the petition to the MCDP Chair.
- C. **Unexcused Absences** -- In the event that a District Chair or the Chair's designee (District officer with voting rights) fails to attend two consecutive meetings of the MCDP Executive Committee and the absences are unexcused, the Secretary of the MCDP shall send a letter notifying the District Chair that two consecutive unexcused absences have occurred and that a third unexcused absence will result in removal as District Chair. In the event that the District Chair or designee misses 6 of the last 12 meetings the Secretary of the MCDP shall send a letter notifying the District Chair that further absences will result in removal as District Chair. A copy of the letter shall be maintained in the files of the Executive Committee and one shall be sent to the Secretary of the District concerned. If the District Chair having been so notified does not attend a third consecutive meeting of the Executive Committee or misses a 7th meeting, the MCDP Chair shall declare the position vacant and shall set a date for a new election in that district.
- D. **Procedure for Removal of PC or District Officer** -- The Secretary shall provide notice in writing to the individual whose removal is being sought and to the members of the deciding body stating the reasons for removal and giving the meeting date, time and location where the removal shall be discussed and voted on. Reasons for removal shall be presented at said meeting. The individual shall be given an opportunity to respond. A majority vote of the PCs present at said meeting shall result in removal of the individual.
- E. **MCDP Executive Board Officer** -- Five (5) voting members of the MCDP Executive Committee may petition to remove a MCDP Executive Board officer by signing a petition containing specific written reasons for removal and delivering the petition to the MCDP Chair. If the Chair is the subject of the petition delivery shall be to the Sergeant-at-Arms.
- F. **Procedure** -- The County Chair (or Sergeant-at-Arms) shall, within five (5) days of the receipt of the petition (signatures must be verified), notify the officer whose removal is being sought of the petition and provide copies if requested to do so. The Chair shall, within five (5) days of the receipt of the petition, poll the County Executive Board to determine whether, if true, the allegations in the petition would qualify as cause for removal. If a majority of the Executive Board agrees that the charges, if true, would qualify as cause for removal, the MCDP Chair (or duly appointed representative) shall call, and preside at a meeting of the appropriate committee within thirty (30) days of the Executive Board decision. A fourteen (14) day written notice (as evidenced by postmark or bulk mail receipt) of meeting date, time and location, including a copy of the petition charges. At said meeting, chaired by the MCDP Chair, or designee, the petition allegations shall be reviewed. The information in the petition shall be the only topic of discussion. The officer will be given an opportunity to respond to the charges set forth in the petition orally or in writing. A two-thirds (2/3) vote of the deciding body present at said meeting shall determine the fate of the officer. There will be no proxy votes and the decision shall be final with no appeal process provided.

Section 3: Rendering of the Decision

Within ten (10) days of a decision, the MCDP Chair (or Sergeant-at-Arms if the Chair is being recalled) shall notify the officer whose removal was sought and the appropriate senior officer of the decision. The position shall be deemed vacant upon delivery of a decision, and the procedures for filling the vacancy specified elsewhere in these bylaws shall be followed. (See Article VI Section 6 Filling A Vacancy)

Article XI Affiliated Organizations

Section 1: Organizations

Clubs, groups or organizations are encouraged to become an affiliated member of the Maricopa Democratic Party so that they may participate in the services and resources of the MCDP. Affiliation requirements:

- A. A majority of the MCDP Executive Committee present and voting at a regularly scheduled MCDP Executive meeting, approves the affiliation.
- B. Bylaws of the organization do not conflict with the bylaws of the Maricopa County Democratic Party, the Arizona Democratic Party, State or National laws.
- C. Financial reports and Statement of Organization are filed with the Secretary of State as required by Arizona Revised Statutes.

Section 2: Termination of Affiliation

The MCDP Executive Committee may terminate an organization's affiliation by a majority vote of the present and voting members of the MCDP Executive Committee at a regularly scheduled meeting.

Article XII Finances

Section 1: Monies

All MCDP committee monies shall be deposited in financial institutions designated by the Executive Board. The Treasurer shall establish and maintain a petty cash fund not to exceed \$100.

Section 2: Finance Committee

The Finance Committee shall consist of the MCDP Treasurer and four members appointed by the MCDP Chair with approval of the Executive Board following the January organizational meeting. At least two members shall be PCs. The Treasurer or the Treasurer's designee shall serve as Committee Chair.

Section 3: Duties

The Chair with oversight from the MCDP Executive Committee shall approve MCDP disbursements. The Finance Committee shall assist the Treasurer in MCDP financial affairs and assist the Districts in Campaign Finance Report compliance. The Finance Committee Chair shall report Legislative District financial report compliance to the Executive Committee at least annually each April.

Article XIII Election Boards

Recommendations for all positions on election boards to which representatives of the Democratic Party are entitled shall be made by the Precinct Committee through the PCs to the District Chair, who shall submit names for all positions on the elections at least thirty-five (35) days before the date of the election.

Article XIV State Committee

Section 1: Membership

The MCDP Delegation to the State Committee of the Democratic Party shall consist of the MCDP Chair and the number of PCs from the county as prescribed by A.R.S. §16-825 (one State Committee member for each three duly elected PCs). These members shall be elected in an open nomination and election process at District reorganization meetings, and shall be ratified at the MCDP reorganization meeting.

Section 2: Vacancies

A vacancy in the State Committee shall be filled by appointment made by the State Chair. (A.R.S. §16-825.01 (8)). The MCDP Chair shall provide nominees to the State Chair after requesting names from the District Chair.

Article XV Amendment of Bylaws

Section 1: Amendment Action

These Bylaws may be amended by a vote of not less than two-thirds (2/3) of the MCDP Committee members present at a regular or specially called MCDP Committee meeting.

Section 2: Amendment Process

Proposed bylaw changes shall be referred to the MDCP Bylaws committee and said committee must ensure that the proposed bylaw change is in compliance with Arizona Revised Statutes, State Party and DNC bylaws. The proposed change is then added to the agenda of a special or regular MCDP Committee Meeting. All PCs shall be mailed a copy of the proposed bylaw amendment with the notice of the MCDP Committee Meeting. (See Article VII section 3 Duties of Bylaws Committee)

Section 3: Termination

A motion to terminate these Bylaws may be made at the Statutory Organizational Meeting during 'New Business'. Such motion shall require an approval of 75 percent of members present.

Section 4: Duration

These bylaws shall become effective upon approval and shall continue in force subject to amendment or termination as defined in Sections 2 and 3 of this Article.

Section 5: Severability

Any provisions in the bylaws deemed unconstitutional or unlawful shall be considered null and void but all remaining provisions remain in effect. These bylaws are subordinate to the Arizona Revised Statutes, DNC Charter and Bylaws and State Party bylaws.