



County Democratic Executive Committee

Reorganizational Meeting Guidelines and Procedures

For December 2016

**Allison Tant
State Chair**

Issued October 2016

(10/6/16 3:27 PM)

2016 DEC Reorganizational Meeting Guidelines & Procedures

Contents:

1) Scheduling the Meeting	1
a) Timing and Location	1
b) Meeting Notice	1
2) Agenda	1
3) Voting Members	2
a) Precinct Committee Members	2
b) Automatic Members	2
c) Voting	3
d) Others	3
4) Meeting Registration	3
a) Credentials Committee	3
b) Member Registration	3
c) Quorum	4
d) Proxies	4
e) Loyalty Oath	4
5) Nominating DEC Officer Candidates	5
a) Qualifications	5
b) Nominating Process	5
6) Voting and Tabulation	7
a) Ballots	7
b) Conducting the Vote	7
c) Announcing the Vote	9
7) Following the Meeting	9
a) Retention of Records	9
b) Right to Challenge	9
c) Certification to the FDP	9

Appendix

Sample Reorganizational Meeting Notice

1) Scheduling the Meeting

a) **Timing and Location**

- i) Each county Democratic Executive Committee (DEC) is required to hold an organizational meeting during the month of December 2016. *[Bylaws, Art. V., Sec. 3.2]*
- ii) By **November 15, 2016**, each DEC must notify the FDP with information as to the date, time, and place for the county's Reorganizational Meeting.
- iii) The individual who currently serves as the County DEC Chair is responsible for calling the meeting and chairing the meeting until the new chair is elected. *[Bylaws, Art. V., Sec. 3.2-3.2.1]*
- iv) In scheduling the meeting, DEC's are encouraged to consider the presence of any religious minorities of significant numbers of concentration whose level of participation could be affected. *[DNC Charter, Art. I., Sec. 4.]*
- v) All DEC meetings must be held in a facility that is accessible to the physically disabled. *[Bylaws, Art. I., Sec. 1.4]*

b) **Meeting Notice**

- i) Written notice of the meeting, including notice of the offices to be elected, along with a summary of the qualification requirements and election procedures, should be sent to each voting member of the newly constituted county DEC within a reasonable time prior to the meeting. Notice should be done in accordance with DEC bylaws provisions. Mail and email notice is encouraged.
- ii) The meeting notice must clearly state the time and place of the Reorganizational Meeting.

2) Agenda

- a) FDP Bylaws specify the agenda for the Reorganizational Meeting. This agenda constitutes the only business that may be conducted at this meeting. *[Bylaws, Art. V., Sec. 3.2.1]*
 - i) Invocation
 - ii) Pledge of Allegiance
 - iii) Roll Call
 - iv) Credentials Report
 - v) Election of Chair
 - vi) Election of State Committeewoman
 - vii) Election of State Committeeman
 - viii) Election of Vice Chair

- ix) Election of Secretary
 - x) Election of Treasurer
 - xi) Election of any other officer
 - xii) Adjournment
- b) Notes about the Reorganizational Meeting agenda:**
- i) Invocation -- After calling the meeting to order, the chair may call for a moment of silence or reflection as an alternative to an invocation.
 - ii) Roll Call -- For the purpose of the DEC reorganizational meeting, the requirement for a roll call is achieved by requiring the voting members to register or sign-in prior to the meeting.
 - iii) Credentials Report -- The chair of the DEC's Credentials Committee or a designee will report: (a) the total number of qualified voting members recognized; (b) the number of members present; and (c) the status of achieving a quorum (see below).

3) **Voting Members**

a) Precinct Committee Members

- i) Only members elected in the August 30, 2016, Democratic Primary (including precinct committee members who ran unopposed) may vote at the Reorganizational Meeting.
- ii) These members take office on December 1 and serve a four-year term. *[Bylaws, Art. V., Sec. 1.1.6]*
- iii) Only precinct committee members may run for the offices to be elected at the Reorganizational Meeting.

b) Automatic Members

- i) Florida statute specifies that all Democratic members of the state legislature (Senate and House) who reside in the county are automatic voting members of the DEC. *[Statute: Title IX, 103.091(6)(a)]*
- ii) Other automatic members of a DEC may be defined by the DEC's bylaws and may include county Democratic elected officials (including Democratic Members of Congress who reside in the county) elected on or before November 8, 2016, presidents of duly chartered Democratic Clubs, or presidents of chartered local Democratic caucus chapters who reside in the county. *[Bylaws, Art. V., Sec. 1.2]* A DEC's bylaws may also allow Democrats elected in non-partisan elections to serve as automatic members.
- iii) Such automatic members of the DEC shall serve for the duration of their term of office. *[Ibid.]*

- iv) Automatic members shall enjoy voting privileges, however, they shall not serve as officers of the county Democratic Executive Committee, unless they were also elected as a precinct committee member. *[Ibid.]*

c) Voting

- i) Each DEC member may cast only one vote.
- ii) Any member who serves on the DEC in more than one capacity (e.g., precinct member and automatic member) may only cast one vote.

d) Others

- i) Appointed Members -- The term of office for DEC members appointed by a DEC Chair expires immediately prior to the commencement of the Reorganizational Meeting. Therefore, there are no appointed members credentialed for the December Reorganizational Meeting. *[Bylaws, Art. V., Sec. 1.3.2]*
- ii) DEC Elected Precinct and At-Large Members -- Prior to or during the Reorganizational Meeting, a DEC may not elect additional precinct or at-large committee members. Election of additional DEC members may take place at subsequent DEC meetings.

4) Meeting Registration

a) Credentials Committee

- i) While the DEC Chair is responsible for calling the Reorganizational Meeting, the Credentials Committee or other designees will typically prepare the new list of members eligible to vote.
- ii) By **November 15, 2016**, the names and addresses of the members of the county DEC must be furnished to the Florida Democratic Party. As noted above (see Voting Members), this list is comprised of only elected precinct committee members and automatic members. The list should be emailed to FDP Director of Party Affairs Nicholas Pellito at npellito@fladems.com using the spreadsheet provided by the FDP.

b) Member Registration

- i) Voting members will sign in before the meeting on sheets prepared by the Credentials Committee.
- ii) Member sign-in sheets should be printed with members listed in alphabetical order.
- iii) The member registration area should be separate from the meeting area.
- iv) Space should also be provided for members filing proxies and/or loyalty oaths.
- v) The Credentials Committee is responsible for monitoring meeting attendance to advise the chair as to the presence of a quorum.

c) Quorum

- i) For DEC's with a total membership of 300 or more, the quorum requirement is 30% of the total membership. For DEC's with a total membership of 299 members or less, the quorum requirement is 40% of the total membership. *[Bylaws, Art. I., Sec. 1.3.6]*
- ii) Proxies are counted toward achieving a quorum, but may not account for more than 15% in computing the quorum. *[Bylaws, Art. I., Sec. 1.2.6]*
- iii) Automatic members are not counted toward the determination of a quorum. *[Bylaws, Art. V., Sec. 1.2.2]*

d) Proxies *[Bylaws, Art. 1., Sec. 1.2, 1.2.3, & 1.2.5]*

- i) A DEC member, who, for any reason, is unable to attend the county's Reorganizational Meeting, may execute a written proxy.
- ii) A precinct committee member must designate a Democrat residing in the same precinct as the member. An automatic member must designate a Democrat residing in the same county and district as the member. The person holding the proxy may not be a member of the DEC.
- iii) Proxy forms should be substantially the same as the form used by the Florida Democratic Party.
- iv) A proxy must be sworn before a notary public or validated by two registered Democrats signing as witnesses.
- v) A proxy must be submitted in writing to the DEC Chair or his or her designee (i.e., the Credentials Committee chair) prior to the time the meeting is called to order.
- vi) The Credentials Committee should establish clear procedures for accepting and validating proxies at the meeting.

e) Loyalty Oath

- i) To be eligible to vote at the DEC Reorganizational Meeting, any DEC member who is required to file a loyalty oath should file the oath before taking office (December 1, 2016). However, the FDP does allow these members to file the loyalty oath not later than prior to the time the DEC Reorganizational Meeting is called to order.
- ii) Pursuant to the FDP Charter, all elected precinct committee members must complete the FDP loyalty oath. *[Charter Art. I, Sec. 6]*
- iii) The FDP does not require elected Democratic officials (i.e., state legislators) who reside in the county and who serve as automatic members to file a loyalty oath.
- iv) If a DEC's bylaws allow for other county Democratic elected officials to serve as automatic members, any official elected to a partisan office as a Democrat is not required to file a loyalty oath. Any other automatic member provided by a

DEC's bylaws (e.g., Democrats who reside in the county who are elected to non-partisan office, presidents of duly chartered Democratic Clubs, and presidents of chartered local Democratic caucus chapters who reside in the county) must file a loyalty oath prior to the Reorganizational Meeting to be qualified to vote at the meeting.

- v) The DEC is responsible for maintaining a copy of each DEC member's loyalty oath. If a member's loyalty oath is on file with the DEC, it is not necessary to complete and file a new oath.
- vi) For any subsequent DEC meeting, all other DEC members elected by the membership or appointed as at-large members by the chair must complete the Party's loyalty oath as a requirement to be eligible to be elected or appointed to that position.

5) **Nominating DEC Officer Candidates**

a) **Qualifications**

- i) Only individuals elected as precinct committee members in the August 30, 2016, Democratic Primary are eligible to run for an officer position at the Reorganizational Meeting.
- ii) Automatic members, unless also elected as a precinct committee member in the August Primary, are not eligible to run for a DEC officer position.
- iii) DEC bylaws may require that only candidates of the opposite sex of the person elected as DEC Chair are eligible to run for the position of DEC Vice Chair. *[Bylaws, Art. V., Sec. 2.2.]* DEC's are encouraged to apply this equal division policy.

b) **Nominating Process**

- i) *Methods for Nominating* -- DEC bylaws may include provisions related to the method to be used for nominating officers.

(1) Nominations from the Floor

- (a) Opening nominations -- The chair will announce "nominations are now in order for the office of _____."
- (b) A member need not be recognized by the chair to make a nomination and a second is not required for a nomination. A member may nominate himself or herself.
- (c) Following each nomination, the chair should repeat the name of the person nominated (for the record) and ask for any further nominations -- until every member wishing to nominate a candidate has had an opportunity to do so.
- (d) Closing nominations -- Once no further nominations are offered, the chair may close nominations by unanimous consent (without a vote). If a motion to close nominations comes before other

nominations can be received, the chair should ask that the motion be deferred. A motion to close nominations may be made once all nominations have been received (although the chair can just announce that nominations are closed, since there are no further nominations to be offered).

(2) *Nominating Committee*

- (a) A DEC's bylaws may provide for a nominating committee chosen in advance and elected by the DEC or the DEC's Board.
- (b) The committee nominates a list of one candidate for each office to be elected. A separate election will be held for each office. It is out of order to vote on the whole list nominated by the committee.
- (c) The committee is responsible for contacting each candidate in advance to ensure he or she is willing to serve, if elected.
- (d) Preferably, the list of nominated candidates is submitted to the members prior to the meeting.
- (e) Following the presentation of the nominating committee's report (the list of candidates), the chair must call for further nominations from the floor.

(3) *Nominations in Advance*

- (a) A DEC's bylaws may provide for the nomination of candidates by a date certain prior to the meeting to (1) ascertain whether the candidates nominated are willing to serve and (2) allow for the preparation of ballots.
- (b) A DEC's bylaws may additionally allow for (1) nominations from the floor (e.g., when no qualified candidate was nominated prior to the deadline), (2) nominations from the floor (in addition to those who filed by the set date), and/or (3) write-in candidates.

ii) Agreement to serve

- (1) It is customary to ascertain whether the individual nominated agrees to serve if elected to the office.
- (2) All persons elected as DEC officers at the Reorganizational Meeting must complete the Party's loyalty oath before they are eligible to serve.

iii) Seconding the nomination -- It is not necessary to second a nomination, but sometimes members will second the nomination to show their support for the candidate.

iv) Speeches

- (1) DEC bylaws or election procedures (approved before any nominations and voting begins) may provide for nominating and seconding speeches in support of a candidate by other DEC members, usually with time

limitations. It is recommended that these procedures be well publicized to the membership in advance of the meeting.

- (2) As an example, a DEC may limit each nominee to a total of five minutes for nominating and seconding speeches by DEC members and including remarks by the candidate.

6) Voting and Tabulation

a) Ballots

- i) No vote shall be taken by secret ballot. [*Charter, Art., I, Sec. 4.1*]
- ii) Voting shall be conducted by signed, written ballots.
- iii) If possible, the Credentials Committee should prepare ballots for each position to be elected with the DEC member's name printed on the ballot (e.g., print the member's name adjacent to the area where the member signs the ballot). If ballots are not pre-printed, the ballot must have sufficient space for the member to print and sign his or her name.
- iv) Ballots for the offices to be elected should be given to each member as he or she signs in prior to the meeting.
- v) Members are allowed to write in the name of an eligible person who may not have been nominated (or vote for a non-nominated person during a roll call vote).

b) Conducting the Vote

- i) All votes will be conducted by signed, written ballot.
 - (1) When only one person is nominated for an office, at the discretion of the Chair, voting may be conducted by show of hands or other means of division. It is not in order to authorize the Secretary or another individual to cast a single ballot.
 - (2) When multiple candidates are nominated for an office, depending on the DEC's nominating process, the ballot will either have space for writing the name of the individual for whom the member is voting, or will list the candidates nominated before the meeting along with space for a write-in.
 - (3) Prior to each vote by ballot, the chair should remind the members that to be counted, their ballot must be signed. Anyone voting by proxy must write the member's name plus their name, and sign their own name to the ballot.
 - (4) The Chair should clearly announce the time allotted for voting (e.g., five minutes) and transmitting the ballot to a teller. The chair will announce the conclusion of the voting period.

- (5) While the votes are being tallied for an office, the chair may proceed with nominations and nominating speeches for the next office to be elected, provided that no candidates in the election being tallied are eligible to run for the next office.

ii) Tabulating the votes

(1) Tellers Committee

- (a) Prior to the meeting, the Chair or Credentials Committee will appoint a “tellers committee” to count the votes and report the results to the membership.
- (b) Tellers are responsible for collecting the marked ballots (it is recommended the tellers use boxes or baskets) during the time allowed for voting. Once the Chair announces that the voting period has concluded, no further ballots for that office may be accepted. In the case of a vote by show of hands or other means of division, the tellers are responsible for assisting the chair in counting the votes.
- (c) Prior to the meeting, space (either in the meeting room or in another area) must be designated for the tellers committee to use for tabulating the votes.
- (d) Each candidate (or one representative) may view the tabulation of the ballots. Any question should be addressed to the head of the tellers committee. Any determination by the head teller with regard to the tabulation or counting of a ballot must be noted on the ballot in question.
- (e) Each ballot must be verified that it was signed by a DEC member (or authorized proxy).
- (f) A “reader” will announce the votes as cast for each ballot.
 - (i) The ballot should be visible to the observers.
 - (ii) Two tellers will mark the vote on their respective tally sheets.
- (g) Once all of the ballots have been reviewed and the votes announced, the tellers will tabulate the number of votes received by each candidate. The results will be compared and must match.

(2) Majority Election Required

- (a) A majority of votes (valid ballots cast) is required to elect each officer at the Reorganizational Meeting.
- (b) Once the ballots have been reviewed and the votes announced, the tellers will determine the total number of valid ballots cast and the number of votes required for election by a majority.
- (c) Unless otherwise provided in a DEC’s bylaws, in the event that no candidate receives a majority of votes, an additional ballot will be

conducted between the two candidates receiving the highest number of votes.

- (d) Unless otherwise provided in a DEC's bylaws, if the run-off election between the top two candidates results in a tie vote, the winner will be decided by a coin toss conducted by the Chair.

c) Announcing the vote

- i) The chair will recognize the head of the tellers committee to report the vote for each office to be elected.
- ii) Should a run-off vote election be required, the Chair will announce the names of the two candidates eligible for election. Members will receive a blank ballot, write the name of the candidate for whom they are voting, and print and sign their name at the bottom of the ballot.

7) Following the Meeting

a) Retention of Records

- i) Adequate records must be kept of all meetings. *[Charter, Art., I, Sec. 4.1.1]*
- ii) All sign-in sheets, proxies and ballots must be retained by the DEC for at least six months.
- iii) Pursuant to the Party's prohibition against secret ballots, any member may inspect the ballots. Inspection of the ballots should not be at or during the meeting. Instead, an appropriate DEC official should schedule an opportunity for the ballot review at the earliest mutually convenient time. The DEC should not be expected and is not required to make photocopies of the ballots. The member(s) reviewing the ballots may take notes.

b) Right to Challenge

- i) DEC bylaws should provide for election disputes to be heard and resolved by the DEC Credentials Committee.
- ii) In cases where the interpretation or application of the FDP Charter or Bylaws, rules, or state or DEC policies cannot be resolved at the local level, the FDP Judicial Council is authorized to adjudicate disputes. *[Charter, Art., II, Sec. 6.1]*

c) Certification to the FDP *[Bylaws, Art. V., Sec. 5.2]*

- i) Following the Reorganizational Meeting, the Chair should ensure that the results of the election (the elected officers) are certified within 48 hours to the Florida Democratic Party. **Within 48 hours following the DEC Reorganizational Meeting**, certification of the election results must be sent to FDP Director of Party Affairs Nicholas Pellito at npellito@fladems.com using the spreadsheet provided by the FDP.

- ii) Changes in DEC membership shall be furnished in writing to the State Chair within ten days. A complete and updated DEC membership list shall be sent to the State Chair by January 31 of each year.

Sample Reorganizational Meeting Notice

Date

Dear [County] Democratic Executive Committee Member:

This is to notify you that the [County] Democratic Executive Committee will hold its reorganizational meeting on December XX. Our meeting will take place at the following time and location:

Date: December XX, 2016

Time: XX:XX pm

Location: Place
Address

Pursuant to the Bylaws of the Florida Democratic Party, only precinct committee members elected in the Democratic Primary held August 30, 2016, and Democratic members of the state legislature [add any other automatic members as may be defined by the DEC's bylaws] who reside in this county are eligible to vote at this meeting.

The purpose of the reorganizational meeting is to elect the following [County] DEC officers:

Chair

State Committeewoman

State Committeeman

Vice Chair

Secretary

Treasurer

[Other officers as set by DEC bylaws]

Any Democratic precinct committee member elected in the August 30 primary is eligible to run for these DEC offices. Nominations will be taken from the floor [or provide other brief description of the DEC's nominating process]. Any member elected as a DEC officer must complete the Party's loyalty oath before they are eligible to serve.

Democratic Party rules prohibit secret ballots for these elections. Each voting member is entitled to cast one vote for the election of each officer.

If you cannot attend the reorganizational meeting, you may send a representative as your proxy (a copy of the proxy form is attached). A precinct committee member may only designate another Democrat from his/her precinct. An automatic member may only designate another Democrat from the county. The executed proxy must be filed with the Chair before the meeting is called to order.

I look forward to seeing you at our meeting on December XX.

Sincerely,

Name

DEC Chair

Attachment: Proxy Form