

BY-LAWS
NEWTON DEMOCRATIC CITY COMMITTEE
These By-laws are governed by the Massachusetts Democratic Party State Charter

Amended September 7, 2017

Article I. Name

The name of the Committee is the Newton Democratic City Committee, hereinafter referred to as the “City Committee.”

Article II. Purposes

The purposes of the City Committee shall be:

- a) to recruit, endorse, assist, and otherwise support Democratic candidates for public office;
- b) to build and strengthen the Democratic Party in Newton and beyond;
- c) to promote the objectives and interests of the Democratic Party in Newton and beyond;
- d) to maintain and encourage interest, registration, and activity in the Democratic Party; and
- e) to maintain and expand the influence of the Democratic Party in Newton and beyond.

Article III. Membership

Section 1. Pursuant to statute (Chapter 52 of the General Laws of the Commonwealth), all of the Regular Members of each of the Democratic Ward Committees of Newton shall constitute, together, the membership of the City Committee.

- a) Each Ward Committee shall consist of no more than thirty-five (35) elected or appointed members, plus all Twenty- year members and Ex-Officio Members residing in the ward.
- b) Membership on the City Committee shall be open only to registered Democrats having a voting residence in Newton.

Section 2. Regular Members shall be equal in status and shall include Elected Members, Twenty-year Members, Ex-officio Members and Appointed Members as follows:

- a) Elected Members shall be those elected at the quadrennial presidential primary;
- b) Twenty-year Members shall be those who have served as elected members of the City Committee for twenty or more years, as provided for in Article 2, Section 1 of the Massachusetts Democratic Party Charter;
- c) Ex-officio Members of a Ward Committee shall be all of the following who live in the ward:
 - 1) the Democratic State Senator whose district includes Newton;
 - 2) the Democratic State Representative(s) whose district includes Newton; and
 - 3) the Democratic State Committee Members and Democratic federal and state elected officials, who reside in Newton
- d) Appointed Members shall be those elected by their Ward Committee subsequent to said primary.
- e) Only Regular Members shall have the right to vote and to be eligible for election to a City Committee office.

Section 3. Associate Members shall be those elected by their Ward Committee but not as a Regular or Appointed member

- a) Associate Members may be elected at any meeting of their Ward Committee;
- b) Associate Members shall not have the right to vote or be eligible for election to a City Committee Office;
- c) Associate Members shall otherwise have the right to participate in City Committee meetings and activities.

Section 4. A vacancy in a Ward Committee occurs when:

- a) fewer than the full number of Elected Members were elected to the Ward Committee;
- b) a Regular Member submits his or her resignation to the secretary of the ward committee who forwards the same to the Secretary of the City Committee;
- c) a member cancels or changes his or her party enrollment;
- d) a member has been removed under the provisions of Article Two, Section V of the Charter of the Democratic Party of the Commonwealth of Massachusetts;
- e) a member is appointed to a state or federal office that precludes membership in a partisan political body; or
- f) the end of the year passes in which a member moved her or his residence for voting purposes outside of the ward.

Section 5. A vacancy in a Ward Committee shall be regarded as filled when:

- a) a vote of the remaining members of the Ward Committee has taken place to fill such vacancy; and
- b) the Chair of the City Committee, the Democratic State Committee, the Secretary of the Commonwealth, the Office of Campaign and Political Finance, and the Newton Election Commission have been notified by mailing or hand delivery.

Article IV. Organization of the Ward Committees

Section 1. In the absence of having its own By-laws, a Ward Committee shall organize according to Section 2 and 3 below.

Section 2. Each Ward Committee must, between 30 and 40 days next following the election of its Elected Members, meet and organize to elect a chair, a vice-chair, a secretary, a treasurer, an affirmative action & outreach officer, and such other officers as it may decide to elect.

- a) The chair and the vice-chair may not be of the same gender. The offices of secretary and treasurer may be held by one person. The affirmative action & outreach officer may, if the City Committee so decides; also be the chair, vice-chair, secretary or treasurer of the ward committee.
- b) Ward committees shall elect officers every two years.

Section 3. The Secretary and Treasurer of each Ward Committee must follow the notification procedures stated below:

- a) The Secretary of each Ward Committee must notify the Secretary of the Commonwealth, the Chair of the City Committee, the Democratic State Committee, the Office of Campaign and Political Finance, and the Newton Election Commission in writing of the

election and names and addresses of the officers of her or his Ward Committee upon their election at the organizational meeting or upon the occasion of any change in status.

- b) The Treasurer of each Ward Committee must notify the Director of the Office of Campaign and Political Finance that he or she accepts the responsibilities of that office.

Article V. Officers and Duties of The City Committee

Section 1. Officers

- a) As set forth in Section 4 of M.G.L Ch. 52 the officers of the City Committee shall be: Chair, Secretary and Treasurer. In addition the City Committee shall also elect a Vice Chair, two District Vice Chairs (one elected from a district composed of Wards 1, 2, 7 & 8 and the other elected from a district composed of Wards 3, 4, 5 & 6), a Corresponding Secretary and an Affirmative Action and Outreach Officer and such other officers as the City Committee may decide to elect including co-chairs. The office of Secretary and Corresponding Secretary may be held by the same person.
- b) Said officers shall be elected by open ballot at each organizational meeting of the City Committee, and shall hold office for a term of two-years.
- c) In presidential election years, the organizational meeting shall be held as prescribed by law.
- d) In non-presidential election years, the organizational meeting shall take place between April 15 and April 30 at a time of day and location in Newton determined by the Chair. Notice of the organizational meeting shall be sent in writing to all members of the City Committee at least fourteen (14) days before the day set for the meeting and shall specify the offices to be filled.
- e) All officers of the City Committee shall be elected from among the members of the City Committee.
- f) An officer shall be deemed elected when she or he receives a majority of the votes of those members present and voting, provided that a quorum is present.
- g) In the event of a vacancy in a position outlined in Section 1 (a), the Secretary shall notify forthwith the membership in writing, and shall indicate the date and time of a special election to fill such vacancy, such time to be not less than thirty (30) days nor more than forty-five (45) days from the date of mailing of notice.
- h) In the event of a vacancy in the office of Chair, the Vice-Chair shall serve as Chair until the special election takes place.

Section 2. The Chair shall:

- a) be responsible for the carrying out of all City Committee policies and programs;
- b) appoint subcommittees as are appropriate to assist in carrying out his/her duties and shall be a full voting member of such sub committees;
- c) preside at all meetings of the City Committee;
- d) present to the membership an annual report on the state of the City Committee; and
- e) in the absence of the Treasurer, be empowered to carry on the duties of the Treasurer.

Section 3. The Vice-Chair shall:

- a) in the absence or inability of the Chair, act as Chair; and

- b) perform such other duties, appropriate to his/her position, as the Chair may, from time to time, assign.

Section 4. The District Vice-Chairs shall: advise and assist the Chair and the Vice Chair and, in the absence or incapacity of both of them, shall act as co-chairs.

Section 5. The Secretary shall:

- a) keep the minutes of City Committee meetings, including a record of attendance; which shall be distributed to all members at least seven (7) days before the next regular meeting;
- b) within ten (10) days of the organizational meeting file with the Secretary of the Commonwealth, the Office of Campaign and Political Finance, the Newton Election Commission, the Democratic State Committee and the Chair of the Newton Democratic City Committee, the names and addresses of the Officers and Members of the City Committee;
- c) within ten (10) days of the filling of any vacancies in membership or in officers or the election of an associate member, file with offices listed under the foregoing paragraph, the name and address of any member, officer or associate member so elected; and
- d) perform such other duties appropriate to his/her position, as the Chair may, from time to time assign.

Section 6. The Corresponding Secretary shall:

- a) place the meeting notice for each meeting of the City Committee on the City Committee website and mail written notice of each such meeting to all members of the City Committee who have requested hard copies or who have not provided to the Corresponding Secretary an e-mail address;
- b) maintain a current roster of the names and addresses of all members; and
- c) perform such other duties appropriate to his/her position, as the Chair may, from time to time, assign.

Section 7. The Treasurer shall:

- a) have charge of the funds of the City Committee;
- b) receive, deposit and disburse such funds in a bank in the City of Newton in the name of the City Committee;
- c) sign checks in the name of the City Committee;
- d) pay bills of the City Committee, provided that any expenditures exceeding \$200.00 are not made without prior authorization of the Executive Committee;
- e) prepare and file reports as are required by law and maintain a current record of funds received and disbursed;
- f) prepare a monthly financial statement; and give an annual report to the membership
- g) be a member of the Finance Committee; and
- h) notify the Director of the Office of Campaign and Political Finance that he or she accepts the responsibilities of that office.

Section 8. The Affirmative Action and Outreach Officer shall:

- a) monitor the status of the City Committee's membership as to representation of the diverse elements in Newton;

- b) develop and recommend to the City Committee steps to be taken to improve the representation of all groups;
- c) develop and recommend to the City Committee steps to be taken in support of a policy of affirmative action; and
- d) serve as a voting member of the Membership and Outreach Standing Subcommittee of the City Committee.

Article VI. City Committee Meetings and Notices

Section 1. There shall be no fewer than four regular meetings of the City Committee in the calendar year, on dates and at times and places determined by the Chair, unless previously provided for otherwise by vote of the members. All such meetings shall be open to the public.

Section 2. Special meetings may be called at any time by the Chair and shall be called on the petition of a majority of the ward chairs, or by written petition of twenty percent (20%) of the City Committee. Such a petition shall be delivered to the Chair, with a copy sent to the Corresponding Secretary, not later than fifteen (15) days next preceding the date set for such meeting. The Corresponding Secretary shall notify the membership in writing of the time, place and purpose of such meeting at least seven days before the proposed meeting date.

Section 3. With the exception of organizational meetings described in Article V, Section 1 (d and g), notice of all other meetings, regular and special, shall be sent to each member, at least seven (7) days before the date of the meeting.

- a) All notices may be sent electronically by e-mail or by mail if no e-mail address is provided to the City Committee, or a member requests hard copies;
- b) each notice shall contain the agenda for the meeting and shall include all items required by these by-laws to be so set forth; and
- c) such notice and agenda shall also be placed on the City Committee web site at least seven (7) days in advance of the meeting.

Section 4. Thirty-one (31) members shall constitute a quorum at any meeting of the City Committee. Any motion shall carry on the vote of a majority of the members present and voting on the motion, provided that the quorum is present for the vote on such motion.

Section 5. City Committee meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order (Revised).

Article VII. Order of Business at Meetings of the City Committee

Section 1. The order of business of all business meetings of the City Committee shall be:

- I. Call of the roll (sign-in sheet is acceptable)
- II. Approval of the minutes of the previous meeting
- III. Reports of officers and ward and standing Committees
- IV. Announcements
- V. Recognition of new members
- VI. Unfinished business
- VII. New business
- VIII. Adjournment

Section 2. Altering the Order of Business

- a) Any matter may be taken up by the City Committee out of the order of business upon the vote of two-thirds of those present and voting, provided that a quorum is present;
- b) at the discretion of the Chair, an announced speaker may be given the floor at any time during the meeting.

Section 3. Distribution of Motions

For a motion to be placed on the agenda, a written copy must be furnished to the Secretary at least ten (10) days before the meeting. The Secretary shall make an appropriate number of copies for distribution at the meeting.

Section 4. Cutting Off Debate

Debate may be closed if a motion to call the previous question is adopted by a majority of those present and voting provided that a quorum is present and further provided that at least ten minutes of debate on each side of the motion has been heard, unless no member desires to speak on a particular side.

Section 5. Suspension of the Rules

Suspension of the rules shall be allowed by a two-thirds (2/3) vote of members present and voting, provided a quorum is present.

Article VIII. Executive Committee

- a) The Executive Committee shall conduct the business of the City Committee between the meetings of the City Committee in a manner that is consistent with the purposes of the City Committee.
- b) The Executive Committee shall consist of elected officers of the City Committee, ward chairs or their designees, chairs of all standing subcommittees, all previous City Committee Chairs who are members of the City Committee, Democratic State and National Committee members who are members of the City Committee, all members of the General Court who are members of the City Committee, and other appointees of the Chair who are members of the City Committee.
- c) A quorum shall consist of nine (9) members of the Executive Committee.
- d) All meetings of the Executive Committee shall be open to all members of the City Committee. Non-members of the Executive Committee may participate in meetings at the discretion of the Executive Committee although only members may vote.
- e) Meetings of the Executive Committee may be called by the Chair or a majority of Executive Committee members provided that at least seven (7) days notice is given every member of the Executive Committee.
- f) The Chair in consultation with the Executive Committee shall set the agenda of the next City Committee meeting and shall include such agenda in the call of the meeting.
- g) The Executive Committee shall approve a budget for the City Committee set forth by the Finance Committee for the ensuing year for the consideration and approval of the City Committee.
- h) No member of the Executive Committee shall participate in a matter in which he or she has a significant financial interest, whether directly or indirectly.
- i) Members of the Executive Committee shall report to their Ward Committee the action of the Executive Committee.

Article IX. Subcommittees

The Chair shall appoint committees as he or she deems necessary or desirable subject to the approval of the Executive Committee; including but not limited to the Finance Committee, the Program Committee, and the Membership and Outreach Committee.

Article X. Endorsements and Use of Party Name and Resources

Section 1. In partisan elections, the City Committee shall support the duly selected nominee of the Democratic Party. In Democratic primaries and non-partisan elections, the City Committee may endorse and support only candidates who are registered Democrats in accordance with the following procedures:

- A) To endorse a candidate; the Executive Committee must vote by a 90% vote which office to recommend to the membership to endorse. A different vote must be taken on each individual office to be considered. No vote shall be taken until after the filing deadline and withdrawal date for the office to be considered.
- B) For the purpose of endorsing at a membership meeting a quorum shall be 50 members.
- C) The membership must vote by 90% to accept the recommendation of the Executive Committee for an endorsement to be considered. A different vote must be taken on each individual office to be considered.
- D) Upon acceptance of the membership to endorse a particular office, the membership may then make nominations as to who they want to endorse. A minimum of 90% of the vote shall certify that candidate is endorsed by the Newton Democratic City Committee.

Section 2. Members shall not endorse or otherwise support publicly, any candidate opposing a nominee of the Democratic Party.

Section 3. No member shall make any unauthorized use of the Democratic Party name or its resources.

Article XI. Delegates to the State Convention

All matters relating to the selection of delegates to the Democratic State Convention shall be governed by regulations adopted by the State Committee to which the City Committee shall conform fully.

Article XII. Removal of Officers and Members

Section 1. No officer or member shall be removed from office except for a violation(s) set forth in the ensuing Section 2 and in accordance with due process as set forth in Section 3.

Section 2. The grounds for removal of an officer or member shall be one or more of the following:

- a) violation of Article X, Section 2 or 3;
- b) conviction, after all appeals have been exhausted, of a criminal offense other than a misdemeanor, subject to the following conditions:
 - 1) the member charged must be given an opportunity to resign before notice of a hearing on removal is given;

- 2) the member shall have thirty days to appeal the removal to the Judicial Council of the Massachusetts State Democratic Party and during the period pending before a decision of the Council, the removal shall be stayed;
- 3) if the City Committee fails to act upon or remove a member on such a charge, the charge may be appealed to the Judicial Council.

Section 3. The procedure for removal of a member shall be as follows:

- a) written notice of the charge, made in sufficient detail to be fully understood by the member; and of a closed hearing before the Executive Committee to be scheduled between thirty and sixty days of the date of the notice.
- b) at the aforementioned hearing before the Executive Committee, an opportunity shall be given for the member to present witnesses, to cross-examine witnesses and to be represented by counsel.
- c) The member's removal shall be made by majority vote of the Executive Committee present and voting provided that a quorum is present.

Article XIII. Contributions by Members and Wards

Section 1. Each Ward Committee may be requested but shall not be obliged to make an annual contribution to the City Committee to meet its operating expenses. The suggested amount shall be set by the Finance Committee.

Section 2. Each member of the City Committee may be requested but shall not be obliged to make an annual contribution to their ward committee to meet its operating expenses.

Section 3. Each member of the City Committee may be requested but shall not be obliged to make an annual contribution to the City Committee to meet its operating expenses.

Article XIV. Adoption, Amendment and Repeal of By-Laws

These by-laws may be adopted, amended or repealed only by a two-thirds vote of regular members present and voting at a meeting, notice of which shall contain the proposed by-law and a general description of the action proposed to be taken and given in accordance with the provisions of Article VI.

Article XV. Fiscal Year

Section 1. The fiscal year of the City Committee shall be January 1st through December 31st.