

# BY-LAWS: NEWTON WARD FIVE DEMOCRATIC COMMITTEE

May, 2005

## ***Article I. Name***

**Section 1. The name of the organization is: the Newton Ward Five Democratic Committee.**

## ***Article II. Authority***

**Section 1. The Ward Five Democratic Committee is established under the authority of the Massachusetts General Laws and the Democratic State Party Charter.**

## ***Article III. Purposes***

**Section 1. The purposes of the Committee shall include but not be limited to the following:**

- a) to recommend, platforms, planks and resolutions;
- b) the recruit, endorse and otherwise support Democratic candidates for public office
- c) to promote voter registration in the Democratic Party;
- d) to participate in the election of delegates to conventions of the Massachusetts Democratic Party;
- e) to call caucuses for the purpose of endorsing candidates, adopting resolutions, or conducting other party business as instructed by the Democratic National Committee;
- f) to serve as a channel of information between citizens of Ward Five and their public officials;
- g) to promote good government at all levels by increasing interest in and knowledge of the functions and organization of government and public policy; and
- h) to carry out programs in support of the foregoing alone, with other ward committees or with other Democratic Party organizations.

## ***Article IV. Membership***

**Section 1. Membership on the committee shall be open only to registered Democrats having a voting residence in Ward Five (Newton) except as provided in Section 7a and 7b of this Article.**

**Section 2. Membership shall be constituted of Regular Members, Ex officio Members, Associate Members and Twenty-year Members.**

**Section 3. Only Regular Members (including Appointed Members) and Twenty-year Members shall have the right to vote and to be eligible for election to a Committee office. Ex Officio and Associate Members shall otherwise have the right to participate in Committee meetings and activities.**

**Section 4. Regular Members shall be equal in status and shall include Elected Members, Twenty-year 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 Ward 5 Committee for twenty or more years, as provided for in Article 2, Section 1 of the Massachusetts Democratic Party Charter; and
- c) Appointed Members shall be those elected by the Ward Five Committee subsequent to said primary up to the number of thirty-five members.

**Section 5. The total number of Elected Members shall not exceed thirty-five**

**Section 6. Associate Members shall be those elected by the Ward Five Committee who do not serve as Regular Members.**

**Section 7. Ex Officio Members shall be:**

- a) the Democratic State Senator whose district includes Ward Five (Newton);
- b) the Democratic State Representative(s) whose district includes a portion of Ward Five (Newton);
- c) the Democratic State Committee Members and elected Democratic federal and state officials who reside in Ward Five (Newton);

d) Ex Officio Members shall be specifically requested to attend a local meeting of the Ward Five Committee during each two-year term.

## **Article V. Election and Appointment of Members and Officers**

**Section 1. On or before August first in each year preceding a Presidential Primary, the Committee shall set the number of its members to be elected at said primary and shall give notice of its decision in accordance with Section 4 or Chapter 52 of the Massachusetts General Laws.**

**Section 2. Nominations for election of members shall be at the nominating meeting held between thirty and sixty days prior to the deadline for filing nomination papers for such primary election. Notice of said meeting shall be given to members.**

**Section 3. In making such nominations, Committee Members shall pledge themselves to produce a slate of candidates who are:**

a) dedicated to the Democratic Party and prepared to work actively in its interest, and;

b) representative of the Democratic Party Members in Ward Five in terms of age, sex, race, ethnic origin, religion, precinct residents and level of income.

**Section 4. The Committee Chair shall have the duty to organize and carry through the process of preparing and filing nomination papers for the Committee's slate. The chair shall have the power to fill vacancies in said slate caused by the failure of the candidate(s) to sign the required nomination papers within seven days of selection at the nomination meeting. Said power shall be exercised in conformity to Section 3 of this Article, subject to any additional directive(s) voted by the members at the nominating meeting.**

**Section 5. Appointment of members shall be made at the organizational meeting of the Committee and at subsequent regular or special meetings to expand membership, fill vacancies created by death, resignation, removal or change of residency out of Ward Five. As to change of residency out of Ward Five, the vacancy will not materialize until the end of the calendar year in which the change occurs.**

**Section 6. Associate Members may be elected at any regular or special meeting of the Committee.**

**Section 7. The terms of Members and Officers shall be as follows:**

a) Elected Members...four years from the organizational meeting or from the meeting of their election by the Committee to the organizational meeting following the next Presidential Primary;

b) Officers...from election at the regular meeting in May to the regular meeting in May two years hence. An incumbent shall continue as an officer until a successor is qualified and ready to serve.

## ***Article VI. Meetings and Notices***

**Section 1.** There shall be no fewer than six regular meetings of the Committee held in each calendar year, on dates and times and places selected by the Chair including at least one in the period for collection of nomination signatures, 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 twenty percent of the Membership or Members.

**Section 3.** Notice of all meetings, regular and special, shall be sent to each Member by regular mail, at least seven days before the date of the meeting to the address shown on the records or may be sent to a member so requesting, by e-mail to the address given on the request. Each notice shall contain the agenda for the meeting.

**Section 4.** Seven Members shall constitute a quorum at any meeting. Any motion shall carry on the vote of a majority of the Members present and voting on the motion.

**Section 5.** Meetings shall be conducted in accordance with Robert's Rules of Order.

## ***Article VII. Officers and Duties***

**Section 1.** The officers of the Committee shall consist of:

a) a Chair

b) a Vice-chair who shall be of the opposite sex from the Chair;

c) a Recording Secretary;

d) a Corresponding Secretary;

- e) a Treasurer;
- f) a Voter Registration and Outreach Officer; and
- g) such other officers as may be hereafter provided for by the Membership.

**Section 2. The Chair shall:**

- a) preside at all meetings of the Committee;
- b) be responsible for carrying out all Committee policies and programs
- c) appoint committees as are appropriate to assist in carrying out his/her duties and shall be a full voting member of such committees.

**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 Recording Secretary shall:**

- a) keep the minutes of Committee meetings, including a record of attendance;
- b) within ten days of the May meeting, file with the Secretary of State, the Newton City Clerk, the Secretary of the Democratic State Committee and the Chair of the Newton Democratic City Committee, the names and addresses of the Officers and Members of the Committee;
- c) within ten 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 5. The Corresponding Secretary shall:**

- a) issue e-mail, or upon request by a member, written notice of all meetings;
- 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 6. The Treasurer shall:**

- a) have the care and custody of all Committee funds;
- b) collect and receive monies, including contributions by members, and deposit them as directed by the Committee;
- c) sign a checks and make all disbursements as authorized by the Committee; and
- d) present an annual written report following the close of the fiscal year and such oral reports as the Chair or the Members may direct.

**Section 7. The Voter Registration and Outreach Officer shall:**

- a) monitor the status of the Committee's membership as to representation of the diverse elements in Ward Five;
- b) develop and recommend to the Committee steps to be taken to improve the representation of all groups; and
- c) develop and recommend to the Committee steps to be taken in support of a policy of affirmative action.

**Article VIII. Endorsements and Use of Party Name and Resources**

**Section 1. The Committee may endorse and support only Democratic Party candidates and may not make endorsements in Democratic Party primaries nor in non-partisan elections.**

**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 IX. Delegates to the State Convention***

**Section 1. All matters relating to the selection of delegates to the Democratic State Convention shall be governed by regulation adopted by the State Committee to which the Committee shall conform fully.**

## ***Article X. 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) failure to attend at least half of the regular Committee meetings during any calendar year;
- b) violation of Article VIII, Section 2 or 3;
- c) conviction, after all appeals have been exhausted, or a criminal offense other than a misdemeanor, subject to the following conditions:
  - i. the Member charged must be given an opportunity to resign before notice of a hearing on removal is given;
  - ii. the Member shall have thirty days to appeal the removal to the Judicial Council of the Massachusetts State Democratic Party and during the period of pendency before a decision of the Council, the removal shall be stayed; and
  - iii. if the Committee fails to act upon or remove a Member on such a charge, the charge may be appealed to the Judicial Council.
- d) an officer may be removed for failure to carry out his or her duties.

**Section 3. The procedure for removal of a Member or an Officer shall entail the following:**

- a) written notice of the charge, made in sufficient detail to be fully understood by the Member, and of a hearing before the Committee to be scheduled between thirty and sixty days of the date of the notice;
- b) at the hearing before the Committee, an opportunity for the member to present witnesses to cross-examine Committee witnesses and to be represented by counsel; and
- c) a vote of removal by two-thirds of the Members present and voting and at least a majority of all Committee regular Members.

### ***Article XI. Contributions by Members***

**Section 1. Each Member of the Committee may be requested but shall not be obliged to make an annual contribution to the Committee to meet its operating expenses.**

### ***Article XII. Adoption, Amendment and Repeal of By-laws***

**Section 1. These by-laws may be adopted, amended or repealed by a two-thirds vote of regular Members present and voting at a meeting, notice of which shall contain the proposed amendment and a general description of the action proposed to be taken and given in accordance with the provisions of Article V.**

### ***Article XIII. Fiscal Year***

**Section 1. The Fiscal Year of the Committee shall be January first through December thirty-first.**