

**CONSTITUTION AND BY-LAWS OF THE DEMOCRATIC
PARTY OF PORTAGE COUNTY, OHIO**

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November 29, 2001 Revision

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J. KENNETH BLACKWELL
SECRETARY OF STATE

Preamble

We, members of the PORTAGE COUNTY DEMOCRATIC PARTY in convention assembled, in order to organize and perpetuate a representative, effective and responsible party organization at all levels in Portage County, Ohio, affiliate with and advance the interest of the Democratic Party for the State of Ohio and nationally, sustain and advance the principles of democracy, and uphold human and civil rights and constitutional government, do establish this Constitution and By-Laws.

ARTICLE 1. NAME, MEMBERSHIP AND ELIGIBILITY FOR OFFICE

Section 1. Name

The name of this organization shall be the PORTAGE COUNTY DEMOCRATIC PARTY.

Section 2. Membership

Membership in this party shall be open to all residents of Portage County, in the State of Ohio, who support the Constitution of the United States of America, the Constitution of the State of Ohio, and the Constitution, By-Laws and principles of the PORTAGE COUNTY DEMOCRATIC PARTY. No person may be a member or may vote on any motion, resolution, nomination, or election at any caucus, convention, meeting or conference of the PORTAGE COUNTY DEMOCRATIC PARTY, who does not meet the aforesaid qualifications or who is a member of any other political party at that time.

Section 3. Eligibility For Party office

Any person who meets the membership requirements of Article I, Section 2, is eligible for election to party office, except as hereinafter limited. There shall be no minimum age requirement for party office save where prescribed by law.

Section 4. Qualifications

In the event that any person's qualifications as a member of the PORTAGE COUNTY DEMOCRATIC PARTY or eligibility for party office must be determined, the same challenge procedure shall be followed to determine his or her qualifications as provided by the Election Laws of Ohio.

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ARTICLE II. CONSTITUTION AND LAWS

Section 1.

Nothing herein shall conflict with the Constitution of the United States of America, the laws of the United States of America, the Constitution of the State of Ohio, the laws of the State of Ohio, and the Ohio Democratic Party Constitution and By-Laws. Any matter which conflicts with any of the aforesaid shall be of no force and effect. All constitutional provisions and laws of the United States and the State of Ohio are hereby incorporated by reference and made a part hereof. Each clause of this Constitution and By-Laws shall be considered separately and the illegality or unenforceability of any one clause shall not affect any other clause.

ARTICLE III. CENTRAL COMMITTEE-EXECUTIVE COMMITTEE

Section 1.

The duly elected County Central Committee shall serve as the County Executive Committee which shall have such powers as are provided by law and by this Constitution and By-Laws. This committee shall be known as the County Central/Executive Committee.

Section 2.

The members-elect of the party's Central Committee shall meet not earlier than six (6) nor later than fifteen (15) days following the date of the primary election at a suitable place and time, in Ravenna, Ohio, to be designated by the retiring chair of the Committee. Notice of such meeting, giving the place and time, and an agenda for the scheduled meeting, shall be sent to each member-elect by the retiring secretary of the Committee by mail and a copy of the notice shall be posted in the Office of the Board of Elections of Portage County, at least five days prior to any such meeting. All new members-elect of the Central Committee will receive a copy of the Portage County Democratic Party's Constitution and By-Laws. If the retiring secretary does not issue the call within the time provided by law, such meeting shall be called according to the Statutes of the State of Ohio. The meeting shall be called to order by the retiring chair or secretary or if there is no such officer or if such officer is absent then chair and secretary shall be chosen and the Committee shall proceed to organize by the election of a chair, vice-chairs, treasurer, secretary and such other officers as the Committee may desire.

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Section 3.

The Central/Executive Committee shall then proceed to elect a Chair. The Chair must be a member of the County Central Committee.

Section 4.

The County Central/Executive Committee shall then immediately proceed to elect two Vice-chairs, in order of succession, and the Secretary and the Treasurer of said Central/Executive Committee.(Effective May, 1994)

Section 5.

Whenever a vacancy in a County office occurs, namely: County official, any person requesting appointment to such vacancy shall be questioned by both the officials and the members of the county Central/Executive Committee as to his or her qualifications, obligations and allegiance to the Portage County Democratic Party. The official appointment, by secret ballot shall be made at the meeting to be set by the Chairman not less than five days, nor more than fifteen days, from notice of such meeting.

Section 6.

The County Central/Executive committee shall have the power to act on all things pertaining to the welfare, business operation, and organization of the Portage County Democratic Party during the period of its existence which shall continue until the sixth day to the fifteenth after the election of the next County Central committee at the succeeding primary election.

Section 7.

Vacancies on the Central/Executive Committee shall be filled as follows:

- (A) The Chair shall announce any vacancy at any regular meeting of the County Central/Executive Committee.
- (B) Written application for said vacancy shall be filed with the Chair within thirty (30) days after announcement of said vacancy.
- (C) Any vacancies shall be filled by a majority vote of the members in attendance and shall be voted upon at the next regularly scheduled meeting.

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ARTICLE IV. OFFICERS

Section 1.

The Chair's duties shall be those of chief executive officer and the Chair shall be subject to the direction of and responsible to the County Central/Executive Committee. The Chair shall appoint the chair and members of the following committees: Audit, Budget, Campaign, Finance, Youth Activities, Women's' Activities and Minority Affairs. The Chair may appoint other committees. The chair may provide for the employment of necessary office personnel subject to the approval of the County Central/Executive Committee. All said committee appointments and employees shall serve subject to the pleasure of the Chair of the Central/Executive Committee.

Section 2.

The Vice-Chairs, in order of succession, shall act as the chair in case of the death, resignation, incapacity, removal or absence of the chair or the chair's predecessor, 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 Vice-Chair's shall have such other duties and responsibilities as may be assigned by the Chair. (Effective May, 1994)

Section 3.

The Secretary shall be in charge of all the official documents of the Central/Executive Committee and of preparation of the necessary notices, minutes and other documents. The secretary shall preserve such files and records and open them for examination at appropriate times at the request of any duly elected member of the County Central/Executive Committee under such rules and regulations as are prescribed by said Central/Executive Committee. All records, including official minutes, maintained by the Secretary shall be immediately passed on to the successor in office and all such records shall be maintained by the Secretary as permanent records of the Central/Executive Committee.

Section 4.

The Treasurer shall have custody of the funds of the party and shall render up to date financial reports to each meeting of the County Central/Executive Committee. The Treasurer shall be accountable for all receipts and expenditures of the party subject to the direction of the Finance Committee. The Treasurer and other party officer or employee responsible for the handling of party funds shall be under sufficient bond, the amount to be determined by the County Central/Executive committee. All financial records and reports maintained by the Treasurer shall be immediately passed on to the successor in office and all such records shall be maintained by the Treasurer as permanent records of the Central/Executive Committee.

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Section 5.

The Chair of the Auditing Committee shall preside over said Committee. The Committee shall be responsible to audit the receipts and expenditures of the party. The Committee shall make an annual audit and such other audits as the Chair of the County Central/Executive Committee or any member of the Auditing Committee may request. The Auditing Committee shall consist of the Chair and two members appointed by the Chair.

Section 6.

The Chair of the Budgeting Committee shall preside over said Committee. The Budgeting Committee shall be responsible for the planning of all expenditures of the party.

ARTICLE V. STATE, COUNTY, POLITICAL SUBDIVISIONS AND DEMOCRATIC CLUBS, COOPERATION

Section 1.

The Chair of the Portage County Democratic Central/Executive committee shall consult with, and cooperate with the various Precinct Committee-persons and all officers of all Democratic Clubs of the Ohio Democratic Party within their duly chartered areas of jurisdiction.

Section 2.

Precinct Committee-persons and the presidents of the various chartered Democratic Clubs shall consult with and cooperate with the Portage County Democratic Central/Executive Committee and its Chair on all matters relating to the business of the PORTAGE COUNTY DEMOCRATIC PARTY.

Section 3.

The Chair shall meet with the Portage County Central/Executive committee at least four times each year at regularly scheduled meetings.

ARTICLE VI. MEETINGS

Section 1.

The County Central/Executive committee may be called to meet by the chair or by a minimum of one-eighth of the membership of said Committee.

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Section 2.

Notice of any meeting, other than the original meeting of the County Central/Executive Committee, specifying time and place, shall be sent in writing through regular United States Mail to all members of the Committee not less than five (5) days in advance of the meeting unless otherwise provided by law.

Section 3.

Minutes shall be taken of all meetings of the County Central/Executive Committee.

Section 4.

One-third of the membership of said Committee shall constitute a quorum for conducting any business to come before the meeting, except that when the Executive Committee is constituted by the entire County Central Committee twenty (20) members shall constitute a quorum. (Amended November, 2001)

ARTICLE VII. PRE-PRIMARY ENDORSEMENTS

Section 1.

In an election year in which the State Democratic Executive Committee makes endorsements the PORTAGE COUNTY DEMOCRATIC PARTY may aid and assist in the nomination of such endorsements made by the State Committee for the benefit of the Ohio Democratic Party.

Section 2.

The Portage County Central/Executive Committee may make pre-primary endorsements for any local or district office providing that 50% plus one (simple majority) of the total membership (precincts represented) of the County Central/Executive Committee so determines. At least five (5) days advance notice by regular United States mail shall be given to each member of the Central/Executive Committee for any meeting during which pre-primary endorsements shall be discussed or voted upon. (Amended November, 2001)

ARTICLE VIII. FINANCE

Section 1.

The Finance Committee of the Portage County Central/Executive Committee shall have the primary responsibility for soliciting all contributions and promoting all fund raising activities for the party.

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Section 2.

The County Central/Executive Committee members of the PORTAGE COUNTY DEMOCRATIC PARTY shall be obligated to assist in the raising of monies as shall be determined from time to time by the Portage County Democratic Central/Executive Committee that is fair, equitable and uniform throughout the County, taking into consideration the population, Democratic vote and resources in each sub-division.

Section 3.

The Treasurer of the Portage County Central/Executive Committee shall compile at least once a year, the list of all contributions and monies received and such listing shall be provided to all members of the Portage County Democratic Central/Executive Committee and to all interested Democrats, upon written request.

ARTICLE IX. PARTY UNITY

Section 1.

All members of the party, candidates for office, party officers, party committees and organizations, and elected Democratic officials shall support the principles of the PORTAGE COUNTY DEMOCRATIC PARTY.

ARTICLE X. STATE CONVENTION, PARTY STRUCTURE: NATIONAL GUIDELINES, PARTY STRUCTURE: STATE GUIDELINES

Section 1.

The provisions for a State convention of the Ohio Democratic Party, Party Structure; National Guidelines and Party Structure; State Guidelines, as adopted in Article X, Article XI, and Article XII of the Ohio Democratic Party Constitution and By-Laws as may be in effect, are incorporated herein and made a part of the Constitution and By-Laws of the Portage County Democratic Party.

ARTICLE XI. OATH OF OFFICE

Section 1.

All officers of the Portage County Central/Executive Committee shall be required to take an oath of office to support the Constitution of the United States of America, the Constitution of the State of Ohio, the Constitution and By-Laws, the principles of the Ohio Democratic Party, and the Constitution and By-Laws of the PORTAGE COUNTY DEMOCRATIC PARTY.

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ARTICLE XII. ROBERTS RULES

Section 1.

Any matters regarding the conduct of the affairs of the Portage County Central/Executive Committee not governed by this Constitution and By-Laws or by the convention rules or by the laws of the State of Ohio shall be governed by Roberts Rules of Order Revised.

ARTICLE XIII. AMENDMENT

Section 1.

This Constitution and By-Laws may be amended by 60% of the members of the Central/Executive Committee of the PORTAGE COUNTY DEMOCRATIC PARTY present at any meeting called for that purpose. Amendments proposed under this Section must be submitted in writing and copies thereof sent to each member of the said Committee no less than five (5) days prior to the meeting. Any amendment shall be effective immediately upon approval by the Central/Executive Committee.