

Constitution and By-Laws of the Sussex County Democratic Committee

Article I Name and Powers

The name of this organization is the Sussex County Democratic Committee (“SCDC”). SCDC is the county committee of the Democratic Party in Sussex County, New Jersey, organized pursuant to the provisions of Title 19 of the New Jersey Statutes. SCDC shall serve the purposes and have the powers granted to a county committee by law, and such other powers, duties, and purposes that are incidental to it.

Article II Membership

A. Members. SCDC members shall consist of two registered Democrats residing in each voting district in Sussex County. They shall be elected by the voters in that voting district in the Democratic primary election held pursuant to Title 19 of the New Jersey Statutes (N.J.S.) in years designated with an odd number. In the event of a vacancy in the membership of the SCDC as set forth in Article II, Section D, the members of the municipal committee in the municipality where such vacancy occurs may appoint a person to fill such vacancy in accordance with N.J.S. 19:5-2. In the event that there is no municipal committee in the municipality where a vacancy occurs, the vacancy may be filled by the remaining members of the SCDC residing in the municipality in which the vacancy occurs. In municipalities with municipal committees, the municipal chairperson shall be considered a member of the SCDC for voting purposes.

B. Party affiliation. No person shall serve as a member of the SCDC unless that person is a registered Democrat who is an eligible voter in the voting district that person represents.

C. Term. Members shall serve for a term of four years, except that the terms of members appointed to fill vacancies shall be limited to the remainder of the term of the vacancy to which such member has been appointed. The term of all members shall end on the first Saturday following the primary election in which their successors are elected in accordance with N.J.S. 19:5-3.

D. Vacancy. A vacancy in the SCDC shall exist upon the acceptance of the resignation of a member by the SCDC, or when a member ceases to be a resident of the voting district from which elected, or upon the death of a member.

E. **Voting districts.** In accordance with the provisions of N.J.S. 19:5-3, the chairperson shall, before April 1 of each year in which members are to be elected, certify to the clerk of each municipality in Sussex County, the unit of representation for the committee in that municipality. Within the municipality, the unit of representation shall be consistent with the number of voting districts in the municipality. There shall be two representatives for each district.

F. **Certified list of members.** The chairperson shall, as soon as practical after members are elected or appointed, file with the Sussex County Clerk a list of SCDC members. The chairperson shall have a continuing duty to report to the Sussex County Clerk all changes in membership of SCDC. When a member resigns, the chairperson shall forward to the Sussex County Clerk a notarized letter of resignation signed by such member.

Article III Meetings of Members

A. **Annual meeting.** Pursuant to N.J.S. 19:5-3, SCDC shall hold an annual meeting on the first Tuesday following a primary election. However, when such meeting day falls on a legal holiday, or when such meeting day falls on the day of a municipal runoff election within Sussex County, then said meeting shall be held on the day following. The annual meeting held on the first Tuesday following the primary election in odd numbered years shall be the reorganization meeting.

B. **Reorganization meeting.** The reorganization meeting shall be conducted as follows:

1. Notice. The chairperson of the outgoing SCDC shall give notice to each member and member-elect of the time and place of the reorganization meeting. A copy of this constitution and by-laws shall accompany notice given to newly elected members.

2. Credentials. At the reorganization meeting, the Credentials Committee shall register each member in attendance. The Credentials Committee shall verify that each individual receiving ballots is eligible to vote. The Credentials Committee shall furnish each member with four official ballots for the offices marked "Chairperson," "Vice Chairperson," "Secretary," and "Treasurer."

3. Election of officers. The following officers of the SCDC shall be elected at the reorganization meeting: Chairperson, Vice Chairperson, Secretary, and Treasurer. Nominees for SCDC office need not be members of the SCDC at the time of their nomination, but by reason of their election to office, shall immediately become members as provided in Article IV, Section B of this constitution and by-laws. Any nominee for SCDC office must be registered as a Democrat and a resident of Sussex County.

4. Nominations. Nominations for chairperson shall be submitted to the Executive Committee at least one week prior to the reorganization meeting to the legal address recited in our election reporting forms or via e-mail to info@sussexdems.com. Nominations for vice chairperson, secretary, and treasurer shall be made at the reorganization meeting by a SCDC member. Each nomination shall be seconded, at the reorganization meeting, by a SCDC member. Nominations shall be made in the following order: (1) Chairperson; (2) Vice Chairperson; (3) Secretary; and (4) Treasurer. Each candidate shall be entitled to speak on his or her own behalf, or may designate a member to speak on his or her behalf.

5. Voting procedure. Voting for each office shall take place immediately after the nominations for that office are closed. Voting shall be by secret ballot and elections shall be conducted separately for each office, in the following order: (1) Chairperson; (2) Vice Chairperson; (3) Secretary; and (4) Treasurer. The Credentials Committee shall tally the votes cast. Each nominee may appoint an observer to witness the tallying of the votes for that office. If no nominee receives more than 50% of the votes cast on the first vote, there shall be a run-off election between the two nominees receiving the highest vote count. Additional ballots shall be distributed in the event of a run-off election. Election shall be made by voice vote if there is only one nominee for an office.

C. Regular meetings. The SCDC shall have regular meetings at such intervals as shall be determined necessary and appropriate by the chairperson, with no fewer than four regular meetings in each year. At regular meetings, there shall be the following order of business:

1. Opening (Pledge of Allegiance).
2. Minutes of previous meeting.
3. Reports by Officers, Committees, and Executive Committee.
4. Business agenda.
5. Adjournment.

D. Special meetings. Special meetings of the SCDC shall be called by the chairperson, or by written request directed to the chairperson and signed by at least thirty percent (30%) of the members of the SCDC. The written request shall state the purpose of the meeting. The chair shall be required to call a special meeting requested by 30% of the committee members in no more than seven business days from the date of receipt of the request.

E. Annual convention. A county-wide convention shall be held each year no less than 60 days prior to the primary. The purpose of the convention will be to recommend candidates to the chairperson. The convention may recommend platform provisions to candidates for county, state, and federal office.

F. Location of meetings. The chairperson shall fix the location of each meeting and the annual convention. In the event that the chairperson does not fix a place for a particular meeting, the Executive Committee shall fix the place of the meeting.

G. Notice of meetings. Notice of all meetings and the annual convention shall be given to members by electronic mail at least one week in advance. Notice shall be given for an emergency meeting by electronic mail and/or by telephone to each member at least 25 hours prior to the time set for the meeting. Meeting notices shall state the time, place, and date of meeting, and whether the meeting is a regular, annual, reorganization, special, or emergency meeting, or the annual convention. The notice shall state the purpose of such meeting.

H. Quorum. No meeting of the SCDC shall be called to order unless there is in attendance least 15% of members eligible to vote at said meeting and members from at least four municipalities.

I. Parliamentary rules. The provisions of the most recent revision of Robert's Rules of Order (*Robert's Rules in Plain English, a Readable, Authoritative, Easy-to-use Guide To Running Meetings* by Doris Zimmerman) shall govern all proceedings of the SCDC.

Article IV Officers and Duties

A. Elected officers. The following officers shall be elected at the reorganization meeting described in Article III, Section B of this constitution and by-laws: (1) Chairperson, (2) Vice Chairperson, (3) Secretary and (4) Treasurer, collectively, they shall be known as the "Elected Officers" and their duties shall be as follows:

1. Chairperson. The chairperson shall preside at all meetings of the SCDC and the Executive Committee, and shall perform such other duties as shall be designated by resolution of the SCDC.

a. Notice to members. Following the reorganization meeting, the chairperson shall notify those members who have been elected to office of their respective appointments and duties by letter to their postal address or email to their e-mail address. Simultaneously, all members shall receive a list of the appointments, together with a description of duties attached to the respective appointments.

b. Standing committees. The chairperson shall appoint chairs and members of standing committees.

c. Executive duties. The chairperson shall be the chief executive officer of the SCDC and shall have overall executive responsibility and

authority for conducting the business of the SCDC. This includes, but is not limited to, recruiting candidates for public office – as well as raising funds for campaigns and other uses consistent with the powers and purposes of the SCDC. The chairperson and the treasurer shall sign all written contracts and written obligations on behalf of the SCDC.

d. Budget and monies. The chairperson, together with the treasurer, shall keep an accounting of all monies received and expended by the SCDC. An annual budget shall be presented each year no later than 60 days after each annual meeting of the SCDC at a meeting of the Executive Committee and shall become effective upon approval by majority vote of those present. The chair shall not spend any monies in excess of \$1,000.00 without the approval of a majority of the elected officers.

e. Committees. The chairperson shall act as ex-officio member of all committees.

f. Appointed members. The chairperson shall provide a copy of this constitution and by-laws to any member appointed to fill a vacancy within three business days of said appointment.

2. Vice Chairperson. The vice chairperson shall have the authority and duties of the vice chairperson as provided by law, and shall perform such other duties as the chairperson shall designate. The vice chairperson shall preside over meetings and perform such other duties as may be necessary or appropriate on behalf of and in the absence of the chairperson.

3. Secretary. The secretary shall keep the minutes and other official reports of the SCDC. The secretary shall keep all records, books, documents, and papers relating to the SCDC in such a place as shall be designated by the chairperson. The secretary shall perform such other duties as may be assigned to him or her by the chairperson or by resolution of the SCDC.

4. Treasurer. The treasurer shall keep account of all monies received by or on behalf of the SCDC and shall deposit the same into a depository designated by the chairperson in the name of "Sussex County Democratic Committee." The Treasurer shall be present or shall designate a representative to be present at all fundraising events to ensure that all funds paid or donated go to the appropriate accounts, and all required NJ Election Enforcement information from the donor is obtained. **The treasurer shall ensure there is no deficit spending by the committee.**

a. Disbursement of funds. The treasurer shall disburse funds from the account or accounts of the SCDC upon signature of the chairperson or the treasurer, or in absence of the chairperson, the vice chairperson.

b. Regular reports. The treasurer shall prepare a financial report to be read at each regular meeting. In the absence of the treasurer, such report shall be provided to the chairperson and read at said meeting.

c. Annual report. The treasurer shall prepare a financial report accounting of all monies received and disbursed during the previous year to be presented at each annual meeting.

d. Other reports. The treasurer shall further furnish and file such other reports as may be required by the laws of the State of New Jersey and the United States of America.

e. Examination of records. All records of the SCDC shall be available for examination by any member of the SCDC, upon written notice to the chairperson. Such examination shall not include the right to remove any records from the office of the SCDC, and such examination shall be conducted in a manner as not to disrupt the orderly conduct of the business of the SCDC. The treasurer, along with a member of the Finance Committee, shall be present at any in-person examination of the records. Copies of records may be provided to a requesting committee member, however, in the event that member is unable to examine the documents in-person (e.g., during a pandemic).

f. Personal liability. The treasurer shall have no personal liability for monies or funds of the SCDC paid out or disbursed by checks or vouchers that have been properly signed and countersigned, pursuant to authorization. A report of the financial condition of the SCDC shall be given at each meeting of the Executive Committee.

g. Finance Committee. The treasurer shall be a member of the Finance Committee.

h. Disposition of funds. In the event that the SCDC becomes defunct or ceases to exist, all remaining funds in SCDC's treasury shall be distributed in their entirety to the New Jersey State Democratic Party.

B. SCDC membership. Any person elected to an office described in this article, or who is appointed to an office described in Article V of this constitution and by-laws, who is not an elected or appointed member as described in Article II of this constitution and by-laws, shall immediately upon election or appointment to said office become a member of the SCDC and thereupon be vested with all rights and duties of a member of the SCDC.

C. Term of office. The term of office of the SCDC chairperson, vice chairperson, secretary and treasurer shall be four years or until their successors are elected.

D. Removal of committee officers. Officers may be removed for cause, including violation of this constitution and by-laws, or any lawful rule or practice duly adopted by the SCDC. Non-performance, dereliction of duty, actively working with or for adversarial political parties, and/or any other conduct prejudicial to the interest of the SCDC shall be grounds for removal.

E. Procedure for removal from office:

1. To begin removal proceedings for an officer, a member must make a motion to remove said officer and the motion must be seconded by another member. The motion to remove an officer must be made before the membership of the committee at a regularly scheduled or special meeting (See Article III, Section D on special meetings).
2. Prior to the meeting, the moving party must provide the secretary of the committee with written notice of the motion to remove no less than 14 days before the meeting. The secretary shall then give notice to the membership no less than 10 days before the meeting that the motion for removal will be made.
3. After the motion to remove an officer is made, the member making the motion must present facts supporting the contention that there is just cause for removal of the officer in question. The officer subject to the removal motion shall be given full opportunity to refute and respond to the stated reasons for removal. "Just cause" is defined in Paragraph D above.
4. Prior to a vote on the motion, any member who wishes to be heard shall be given the opportunity to speak on the pros or cons of the motion and/or to question the officer and/or the moving party to clarify information relevant to the motion.
5. At the conclusion of the discussion, the next ranking member of the Executive Committee not subject to the motion shall call for a vote and preside over the voting on the motion. Voting shall be by secret ballot. A tally of the votes shall be made by the chair of the Credentials Committee and witnessed by the officer subject to the motion and the moving party.
6. A two-thirds majority of the members present at the meeting shall be required for removal. If passed, the removal shall take immediate effect. In the event an officer is removed under this procedure, they shall be terminated from the position and ineligible to run for or hold any officer or committee chair position for a period of five years from the date of removal.

F. Vacancies. In the event that a vacancy is created in the office of chairperson, the vice chairperson shall succeed to the office of chairperson, and hold such office

until the next reorganization meeting, unless the SCDC shall thereafter, within thirty (30) days, convene a special meeting in accordance with a petition signed by thirty percent (30%) of the members of the SCDC for the purpose of electing a chairperson. In the event of a vacancy in any other office, the chairperson shall appoint a successor, who shall serve until the next reorganization meeting.

Article V

Executive Committee and other Officers

A. Executive Committee. SCDC shall have an Executive Committee consisting of all officers of the SCDC, elected and appointed, the members of the New Jersey Democratic State Committee representing Sussex County, a representative elected by the municipal chairpersons, standing committee chairpersons, and any other persons appointed to the Executive Committee by the chairperson. The Executive Committee shall meet regularly and shall consult with and advise the chairperson and the SCDC with respect to any business brought before it.

B. Executive Director. The Chairperson, with the advice and consent of the SCDC, shall appoint an executive director. The executive director shall assist the chairperson with the administration of the SCDC and have other duties and responsibilities as the chairperson and the Executive Committee may designate from time to time.

C. Communications Director. The chairperson, with the advice and consent of the SCDC, shall appoint a communications director. The communications director will be responsible for preparing and publishing a SCDC newsletter on a regular basis; preparing press releases and other communications for publication in the media; and maintaining and updating SCDC's website.

D. Compliance Officer. The chairperson, with the advice and consent of the SCDC, shall appoint a compliance officer. The compliance officer shall be familiar with all laws and regulations pertaining to elections, political parties, and political committees. The compliance officer shall advise the Executive Committee, the SCDC, and local, county, and state level campaign committees as to current laws and regulations and any changes in those laws and regulations. It is preferred that the compliance officer be an attorney and licensed member of the New Jersey Bar.

Article VI

Standing and Other Committees

A. Standing committees. SCDC shall have the following standing committees, the chairs of which shall be appointed by the Chairperson:

1. Finance
2. Campaign Candidate Recruitment
3. Outreach and Development
4. Programs and Activities
5. Credentials
6. Young Democrats
7. Appointments
8. Convention

The chairperson shall notify county committee members by e-mail of all new standing committee chair appointments.

B. Finance Committee. The Finance Committee, operating in collaboration with the Program and Activities Committee, shall initiate and actively pursue fundraising activities. It will develop an annual budget, based on the needs of the SCDC, for operations and campaigns.

C. Campaign and Candidate Recruitment Committee. The Campaign and Candidate Recruitment Committee will recruit, develop, select, and recommend candidates to receive SCDC's support in elections for municipal, county, state, and federal office. It will vet potential candidates prior to convention and report their findings prior to endorsement pursuant to the document known as SCDC Guidelines. It will coordinate the efforts of the SCDC in political campaigns in which the SCDC has an interest. It will develop campaign strategies and act as the liaison between the SCDC and other organizations involved in targeted campaigns. When appropriate, it will develop literature, signs, audio and visual media, and other election materials to support Democratic candidates. It will plan, organize, develop, and coordinate activities related to voter and party declaration registration, voter education, and other voter contact to maximize voter participation in all elections.

D. Outreach and Development Committee. The Outreach and Development Committee shall develop and implement outreach programs designed to increase the visibility of, membership support for, and community goodwill toward the SCDC and the Democratic Party. It shall be responsible for liaison activities with Democratic clubs throughout Sussex County. It shall promote voter registration. It shall develop and implement activities that encourage broad participation in Democratic politics by persons of all age groups. It shall coordinate, prepare, and implement public forums to identify and discuss issues important to the Sussex County Democratic Party.

E. Programs and Activities Committee. The Program and Activities Committee shall plan, organize, develop, and coordinate activities related to programs for regular meetings, fund-raising, and social and team building events. It shall assist the various Democratic clubs in arranging programs for all events conducted under the auspices of the SCDC.

F. Credentials Committee. The Credentials Committee shall be comprised of five members of the SCDC appointed by the chairperson. At any time that a vote is to be taken by written ballot (including, but not limited to, the reorganization meeting or annual meeting), the Credentials Committee shall, upon consideration of credentials of members, issue ballots as appropriate. At the reorganization meeting the Credentials Committee shall operate in accordance with Article III, Section B, Number 2 of this constitution and by-laws.

G. Young Democrats Committee. The Young Democrats Committee shall be responsible for serving as the liaison between the SCDC and young people's organizations, and shall encourage young people to participate in Democratic politics.

H. Appointments Committee. The appointments committee shall consist of seven members, four of whom shall be the chairperson, vice chairperson and both Sussex County Democratic state committeepersons; the remaining members shall be persons appointed by the chairperson from amongst the members of the SCDC. The committee shall nominate, recommend, or appoint candidates it deems qualified to various boards and positions as are appropriate. This includes, but is not limited to, the Sussex County Board of Tax Appeals. With respect to the Sussex County Board of Elections, the committee shall make recommendations to the chairperson, vice chairperson and both state committeepersons, who shall proceed in accordance with N.J.S. 19:6-18 and consistent with the recommendations of the committee, nominate a person, and certify the nomination to the Democratic state chairperson. In making its nominations, appointments and recommendations, the committee may consider incumbents in the position to be filled, but except in extraordinary cases, no person shall be recommended, re-nominated, or re-appointed more than one time.

I. Convention Committee. The Convention Committee shall develop rules for, plan, organize, and carry out the annual convention. The Convention Committee shall present proposed rules for the annual convention to the SCDC at a regular meeting prior to the convention. The SCDC may adopt or amend the rules as presented.

J. Ad-hoc committees. Ad-hoc committees may be appointed from time to time by the chairperson to perform specific duties or functions of short duration, and upon completion of said duties shall conclude.

K. Standing committee member qualifications. Except for members of the Appointments Committee, members of standing committees need not be members of the SCDC.

Article VII Municipal Committees and Chairpersons

A. Members. The members of municipal committees shall consist of members of the SCDC resident in their respective municipalities. They shall take office on the first Saturday following their election as members of the SCDC, at which time the

terms for all persons previously appointed or elected to the committee shall expire upon the certification of the new election results. The terms of members appointed in accordance with Article II, Section A of this constitution and by-laws shall commence immediately upon appointment.

B. Vacancies. When a member ceases to be a resident of the district from which he or she is elected, a vacancy on the committee shall exist. A member of a municipal committee may resign, and upon the acceptance of the resignation by the municipal committee, a vacancy shall exist. The remaining members of the municipal committee shall fill any vacancy, however caused, for the unexpired term. The municipal chairperson shall report the voting district, name, and address of any newly appointed member in writing to the county chairperson as soon as is feasible after such appointment.

C. Meetings. An annual meeting of members of each municipal committee shall be held on the first Monday following a primary election, at an hour and place to be designated by the municipal chairperson, or in the years designated by an odd number, by the outgoing municipal chairperson. Notice of said meeting shall be given by said chairperson to each member and member-elect. Municipal committees shall meet at least four times in each calendar year. The municipal chairperson shall provide a report of each meeting, in writing, to the Executive Committee. All meetings shall be for the purpose of directing and coordinating Democratic activities within the municipality.

D. Reorganization meeting. The annual meeting held in years designated by an odd number shall be a reorganization meeting. At this meeting the members of the municipal committee shall elect some suitable person who shall be a resident of such municipality and a registered Democrat, but need not be a SCDC member, as municipal chairperson. Upon election, the municipal chairperson shall become a member of the SCDC for voting purposes.

E. Municipal Chairperson. The municipal chairperson shall act as liaison between the municipal committee and the SCDC chairperson and Executive Committee. The municipal chairperson may call meetings of the municipal committee as required by law and as may be otherwise necessary or beneficial. A vacancy in the office of municipal chairperson caused by death, resignation, failure to reside in the municipality, or otherwise, shall be filled for the unexpired term by the municipal committee or, if one does not exist, by the SCDC.

F. Municipal Chairperson meetings. The SCDC chairperson shall convene a meeting of municipal chairpersons yearly, as soon after the annual meeting as is reasonably convenient and practical. Members of the Executive Committee may be invited to the municipal chair meeting. The SCDC chairperson shall invite municipal chairpersons to meetings of the Executive Committee on a rotating basis.

Article VIII
Effect & Amendments

This constitution and by-laws supersedes any and all previous by-laws of the SCDC. It shall take effect immediately upon adoption. It may be amended at any meeting of members by a two-thirds vote of all members present and voting, provided that copies of the proposed amendment shall be contained in the notice of such meeting.

(Revised October 2022.)