

RULES
and
BYLAWS
of the
**MOBILE COUNTY
DEMOCRATIC EXECUTIVE
COMMITTEE
(MCDEC)**

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PREAMBLE

In the interest of efficiency and expeditious procedure, the following rules for the administration and government of the Mobile County Democratic Executive Committee are adopted and all former rules are hereby repealed.

The name “Committee”, as used herein, shall refer to the Mobile County Democratic Executive Committee as a whole. The name “Sub-Committee,” as used herein, shall refer to a number of individuals, members of the Mobile County Democratic Executive Committee, appointed by the chair hereof, to which specific duties are assigned.

Rule 1- Composition of Committee

The Mobile County Democratic Executive Committee shall be composed of qualified voters from the County Commission District of the County of Mobile, Alabama. The Committee shall have the responsibility of discharging Democratic Party affairs within Mobile County subject to the direction of the state committee.

A). Number on Committee

The Mobile County Democratic Executive Committee shall consist of the following members where practical.

1. A Chair, a Vice Chair, Secretary, Treasurer, and three Coordinating Vice Chairs, (Minority Affairs, Young Adults 18-35, Senior Citizens 60 years and Older). All officers shall be elected by the Committee. The Chair and the Vice Chair of the Committee shall be of opposing gender.
2. The Committee shall elect all officers. The term of office for said officers shall be four (4) years and until their successors are elected. All elected officers of the Committee shall serve at the pleasure of the Committee.

3. There shall be 36 members who are popularly elected from the Mobile County Commission Districts. Notwithstanding the number of members that are popularly elected, each County Commission District shall have the same number popularly elected by members within Mobile County.

4. There shall be “at-large” members equal to twenty-five percent (25%) of the popularly elected members of the Mobile County Democratic Executive Committee.

5. All State Democratic Executive Committee members who are registered voters in Mobile County shall also be members of the Mobile County Democratic Executive Committee.

6. It is the policy of the Committee that minority members shall be represented on the Committee at least in proportion to their presence into the Democratic Electorate of Mobile County or in proportion to their presence in the population of Mobile County, whichever is greater. The term “Democratic Electorate of Mobile County” is defined herein as being composed of those persons who voted for the Democratic nominee for the governor in the most recent general election. The term “minority” is defined as the prevailing racial minority in Mobile County.

B). Qualifications for Membership

Each of the popularly elected members of the Committee shall have citizenship as well as residency as a voter in the district from which he/she is chosen to serve. Should one lose his/her citizenship or change voting residency by permanently moving from said district or otherwise, the same shall constitute a vacancy on the Committee. A vacancy in membership for any reason shall be filled for the unexpired term by the Committee at the next meeting following the occurrence of such vacancy, except that a vacancy in any position held by a minority member shall be nominated by the minority member at the next meeting of the Committee.

C). Residence Requirements

For the purpose of these rules residence shall mean, “the place in which the person concerned maintains his/her permanent (and primary, if he has more than one) dwelling place”.

D). Committee Demographics

The popularly elected members of the Committee shall be elected from the districts used for the election of the Mobile County Commission. The Mobile County Democratic Executive Committee district shall be the same number as the corresponding Mobile County Commission district. With regard to the popularly elected members, there shall be an equal number of male and female candidates elected from the said districts. All male candidates shall be listed on the ballot together. The ballot shall state the maximum number of persons for which votes are to be cast. The male candidates and female candidates receiving the largest number of votes in the district shall be ranked and elected by plurality.

E). At-Large Membership

The “at-large” members provided for herein shall be allocated to the districts on a pro-rata basis based on the districts which received at least forty percent (40%) of the democratic vote in the last gubernatorial general election preceding the election to which they qualify.

F). At-Large District Seats

Prior to the organizational meeting, the State Chair of the Democratic Party shall calculate and notify the Mobile County Chair of the number of “at-large” seats assigned to each Mobile County Democratic Executive Committee district in which forty percent (40%) or more votes were cast for the Democratic nominee for governor during the immediate past general election. The popularly elected members from each of the respective districts, together with other members who vote in the district, will nominate the person(s) for each “at-large” district seat to be filled. All nominees for the “at-large” district seats will be voted on by the membership of the entire Committee.

G). Distribution of Male Female Positions

Equal division of positions between men and women will apply in all cases where possible.

H). Additional Members

To the extent that they are not otherwise elected or re-elected, the Committee will add members to equal at least thirty percent (30%) of the total membership between the ages of 18 and 40 when practical. These members shall reflect the pro-rata makeup of the Committee by race, gender, and districts.

Rule 2 – Term of Office

The term of office of the Mobile County Democratic Executive Committee shall begin upon the certification of each such member elected and said term shall continue for four (4) years from the time of certification and until their successors are elected and certified.

Rule 3 – Organization Meeting

During the month of January following the Governor's race, a meeting of the Committee may be called by the Chair of the proceeding Committee for the purposes of organization and to consider any business, which may properly come before the said Committee.

A). Temporary chair

At such organizational meeting the outgoing Chair of the outgoing committee shall act as temporary Chair until the new committee elects its own Chair.

B). Turn Over of Records

The outgoing Chair, Vice Chair, Secretary, Treasurer, and other officers of the outgoing committee shall immediately turn over and deliver to the newly elected officers all books, records, monies, and paper of every nature whatsoever pertaining to the said committee at the organizational meeting.

Rule 4 – Meetings

After the Organizational Meeting of the Mobile County Democratic Executive Committee and the election of officers, regular meetings of the Mobile County Democratic Executive Committee must be held a minimum of quarterly during non-election years, and monthly during election years.

Rule 5 – Duties of the Chair

The Chair shall preside at all meetings of the Democratic Executive Committee and perform all of the duties imposed upon him/her by the laws of the State of Alabama and the rules of this Committee. The Chair shall have the authority to accept funds for this Committee, and in doing so; he then shall turn over said funds to the Treasurer. To keep the record straight he shall receive a receipt for all said funds given to the Treasurer, which were received by him (the Chair).

A). Authority and Power of the Chair

The Chair shall have the authority and power to create any special or sub-committees as may be desired and to appoint the members thereof. The Chair shall be ex-officio member of all and special and sub-committees.

B). Electing New Officers

In the event of the death, resignation, or disqualification of the Vice-Chair, Secretary, or Treasurer, the Chair will seek volunteers and appoint an officer to serve on a temporary basis until an election can be held at the next meeting of the Committee. Officers' elections shall take place at the regularly scheduled meeting in the month of January after the State of Alabama elects its Governor.

C). Removal of members

Mobile County Democratic Executive Committee members who have missed more than three (3) consecutive regular meetings shall be formally removed from the committee. Any member on active Military duty is exempt from this rule. When a member has missed two (2) consecutive meetings, the Secretary will notify the member. The Chair may have the option of excusing no more than two (2) meetings a year, due to extenuating circumstances.

Rule 6 – Duties of the Vice-Chair

The Vice Chair shall preside in the absence of the Chair from any meeting. In the event of death, resignation, or disqualification of the Chair, the Vice-Chair must call a meeting of the Committee as soon as practical for the purpose of electing a Chair. After the election of said Chair, the regular business of the Committee may be transacted.

Rule 7 – Duties of the Secretary

The Secretary of the Mobile County Democratic Executive Committee shall keep all original records pertaining to the Committee. He/She shall compile and maintain a membership list containing the name, address, contact information, County Commission District, and all other pertinent information for membership. At least once a year, prior to the January meeting, the residence of each member will be verified and the Chair notified of the verification and of any changes. The Chair and the Committee shall be notified of anyone no longer eligible for membership due to a change in residence according to Rule 1 B. The membership list shall be available to any officer and to committee members upon approval of the Chair. The Secretary shall send a meeting notice seven (7) days prior to the meeting by mail or other approved means (email). The Secretary shall record the minutes of all meeting and present them at the next subsequent meeting. A copy of the minutes shall be sent to the State Democratic Executive Committee within fifteen (15) calendar days. A record of attendance shall also be maintained by the Secretary. The

Secretary shall perform other such duties as the Chair shall impose on him/her.

Rule 8 – Duties of the Treasurer

The Treasurer of the Democratic Executive Committee shall keep an accurate record of all receipts and disbursements of the committee together with all vouchers. Such records shall be available at all times for the inspection of any member of the Committee. At the first meeting of each new Committee and every regular meeting thereafter, he/she shall submit to the Committee a full itemized statement of all receipts and disbursements, together with funds received since his/her term of office began or since his/her last report. The Treasurer shall post a Surety Bond. The amount of such bond shall be set by the Committee and the cost for posting such a bond shall come from the funds of this Committee. The Treasurer shall provide hard copies of their report to the members at each meeting.

Rule 9 – Committee Funds

Funds of the Democratic Executive Committee shall be kept on deposit, in the name of the Committee, in a bank located in Mobile County, Alabama. Funds shall be distributed by check, drawn by the Treasurer and countersigned by the Chair or Vice-Chair.

Rule 10 – Expense of Officers

Expenses incurred by the officers of the Mobile County Democratic Executive Committee for postage, stationery, receipt books, and other necessary items in the discharge of the duties of their office shall be paid or reimbursed out of the funds of the Committee.

Rule 11 – Notice of Meetings

The Secretary of the Mobile County Democratic Executive Committee shall give notice of all meetings by MAIL or other means, at least seven (7) days to each member of the time and place prior to said meeting. He/She shall

perform other duties as usually devolved upon the office of Secretary, and other such duties as the Chair shall impose on him/her. The Secretary will keep an events calendar on the web page and/or by emails. He/She will notify any member who has missed two consecutive meetings before the next subsequent meeting.

Rule 12 – Notice of Special or Emergency Meetings

The Mobile County Democratic Executive Committee shall meet on call of the Chair or on call of twenty percent (20%) or more of its membership in writing with names attached and present same to Chair. In case of such a Special or Emergency meeting, the Secretary shall notify each member by mail or other means of the time and place at least seven (7) days from the date of the postmark prior to such meeting. Also, a notice by publication in one of the daily newspapers published in the City of Mobile shall be given, if it can be done without cost to the Committee, at least one day before said meeting.

Rule 13 – Committee Quorum

Nineteen (19) members shall constitute a quorum for the transaction of business at any regular, special, or emergency called meeting.

Rule 14 – Voting By Proxy

Voting by proxy shall not be permitted.

Rule 15 – Rules of Order

Except as otherwise provided herein, Roberts Rules of Order shall govern as to parliamentary procedure in all meetings of the Mobile County Democratic Executive Committee.

Rule 16 – Nomination for County Office

Whenever an election is called to fill any county office, or a vacancy occurs in the democratic nomination for a county office, the Committee must provide for such election, provided there is sufficient time within which to hold such primary election before the general election. In the event there is not sufficient time for such a primary election, then the Committee may, at its discretion, choose a nominee, and the name of such person shall be certified as the nominee of the democratic party for such office in said election.

Rule 17 – Election Officials

Before the holding of every primary or general election the Committee shall select, approve, and certify to the Probate Judge a list of election officials for such elections. Selection and approval of individuals for certification to the Probate Judge shall be made by the Committee as a whole upon the basis of recommendations made by a special sub-committee appointed by the Chair of the Committees.

The sub-committee will consist of seven (7) members of the Committee, appointed by the Chair not later than ninety (90) days before the election. The sub-committee, in compiling its list of recommendations, will be bound by the consensus recommendations of the Committee from each district as to officials for their County Commission District.

The sub-committee will make its report of recommendations to the Committee no later than thirty (30) days before the election.

Whenever appropriate, the sub-committee will submit to the Committee a consolidated list of recommended officials for the primary, the run-off, and the general election.

Rule 18 – Order of Business

The “order of business” is as follows:

1. Invocation
2. Assembly and roll call
3. Vacancies filled (if any)
4. Minutes (unless dispensed with)
5. Financial Report (unless dispensed with)
6. Unfinished business (old or new)
7. New business (in call or otherwise)
8. Adjournment

Rule 19 – Removal of Officers

Any officer of the Mobile County Democratic Executive Committee; its Chair, Vice-Chair, Secretary, Treasurer, Vice Chair of Minority Affairs, Vice Chair of Young Adults, or Vice Chair of Senior Citizens, who neglects, ignores or refuses to perform the duties of his/her office as outlined in the rules of this Committee, shall forfeit his/her position as an officer. However, he/she shall remain as a member of the committee.

If he should refuse to vacate his position as officer after specific charges against him have been proven before the Committee, he may be removed by a majority vote of the entire Committee at any regular or special meeting of the Committee at which there is a quorum, if he has been given fifteen (15) days written notice of the specification of charges and a reasonable opportunity to answer such charges.

Rule 20 - Line of Succession

In the event of illness, death or resignation or change of status which render them ineligible or the inability of the president to attend the duties of the office, the line of succession will be the Vice-Chair, Secretary, and Treasurer.

Rule 21 – Amendment of Rules

These rules may be amended, altered, repealed, or suspended by a two-thirds (2/3) majority vote of the members present at any regular or special meeting of the Committee at which there is a quorum. Before coming before the Committee for consideration any proposed amendment, alteration, repeal, or suspension of these rules must first be submitted in writing to and considered by the rules sub-committee, which shall after due consideration cause the Secretary to submit notice of the proposed amendment, alteration, repeal or suspension to each member of the Committee in writing by mail, email or in person, along with a statement of the majority opinion of the rules sub-committee regarding such proposal.

Rule 22 – Forfeit of Committee Membership

Any member of the Mobile County Democratic Executive Committee who while a member or while seeking election to membership seeks or accepts the nomination for a political office in a primary or general election under the banner of political party or ticket other than the Democratic Party of Alabama, whether ultimately certified as a candidate or not, shall immediately forfeit membership on the Committee. Any such act shall automatically constitute a vacancy in the position being sought or held by such person, and such vacancy shall be filled by the Committee at its next regular meeting.

Rule 23– Removal from Membership

Any member of the Mobile County Democratic Executive Committee may be removed from membership by two-thirds (2/3) majority vote of those present at any regular meeting of the Committee of which there is a quorum, if charges are made and proven beyond reasonable doubt that such member while a member of the Committee or while seeking election to membership has endorsed a candidate for public office, by having his/her name appear in a political advertisement or by displaying on his/her person campaign buttons or ribbons, or by displaying on his/her campaign buttons or ribbons or by contributing financial support to any

person who is a candidate for election in any election under the banner of any political party or ticket other than the Democratic Party of Alabama.

If any such charge be made against a member he/she shall be given written notice thereof at least fifteen (15) days in advance of the time such charges are to be presented to the Committee and afforded every reasonable opportunity to answer such charges before the Committee or in writing when they are presented.

Rule 24– Absence from Meeting

Any member of the Mobile County Democratic Executive Committee who is absent from three (3) consecutive regular meetings will automatically be removed from the membership of this committee. However, that member may be reinstated by paying the penalty of \$10.00 before the date of the second regular meeting immediately following the date that he/she was removed from this committee. An excuse for being absent will not be accepted.

Rule 25 – Establishment of Democratic Headquarters

The Mobile County Democratic Executive Committee shall establish, maintain, and staff a party headquarters at least ninety (90) days prior to each general election.

Rule 26– Distribution of Committee Funds

The distribution of Committee funds among members of the Mobile County Democratic Executive Committee is forbidden but the Mobile County Democratic Executive Committee may at its discretion reimburse its members for actual expenses incurred. There shall be an audit of the financial condition of the Mobile County Democratic Executive Committee by qualified examiners who shall not be members of the said Committee for the two-year period ending December 31, 2003. And every two years thereafter on the anniversary date. Said audit shall not be a public document but a copy shall be retained by the Chair of the Mobile County

Democratic Executive Committee for examination of any members thereof and a copy shall be furnished to the Chair of the State Committee promptly on request.

Rule 27 – Duties of the Committee

Failure of the Mobile County Democratic Executive Committee to adequately fulfill the duties and responsibilities of these bylaws and those set out by the State Democratic Executive Committee can result in penalties or dissolution by a majority vote of the Executive Board of the State Democratic Executive Committee.

Rule 28 – Development of Rules or Regulations

For the purpose of enforcing these rules, the Mobile County Democratic Executive Committee may make rules or regulations not inconsistent herewith.

Rule 29 – Adoption of Rules

These rules shall be effective upon their adoption by the Mobile County Democratic Executive Committee.