

CONSTITUTION AND BY-LAWS
OF THE
DEMOCRATIC COUNTY COMMITTEE
OF BERKS COUNTY, PENNSYLVANIA

PREAMBLE

We, the Democratic committee persons of Berks County, Pennsylvania, in order to effect a more perfect party organization, provide ways and means for maintaining an active and efficient government, preserve the fundamental principles of the Democratic Party, establish justice and harmony within the organization, oppose factional abuses and financial extravagance, encourage trustworthy and meritorious persons to be candidates for public office, increase the party strength and political influence, and cooperate with the local, state and national committees of the Democratic Party, do establish this Constitution and By-Laws for the Democratic Party in Berks County.

CONSTITUTION

ARTICLE I

Name

This organization shall be known as the Democratic County Committee of Berks County, Pennsylvania.

ARTICLE II

Membership

The membership of this committee shall consist of men and women who are legally qualified and registered Democratic voters, elected as committee persons by the voters of the various districts or precincts or appointed by the County Committee, the elected or appointed State Committee members from Berks County and any officer who is not an elected member of this committee.

ARTICLE III

Meetings

Section 1. The regularly elected members of this organization shall meet on the third Saturday after the primary election in which they have chosen, for the purpose of electing officers as provided by the By-Laws.

Section 2. Regular meetings shall be held thereafter once every two months, however, there shall always be a meeting in October.

Section 3. Special meetings may be called at any time by the County Chairman. He shall be required to call such meeting upon the written and signed request of any twenty-five (25) members of the County Committee. Only such matters designated in the purpose of the call shall be taken up at special meetings.

Section 4. All meetings shall be conducted according to Roberts Rules of Order.

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ARTICLE IV

Organization

Section 1. Permanent organization of the County Committee shall be effected by the election of one County Chairperson and one Treasurer, who may or may not be a member of the Committee, and the election of one Vice-Chairman, one Vice-Chairwoman, one Recording Secretary and one Financial Secretary, who must be members of the Committee. All officers shall have been a registered Democrat for at least two years or more, immediately prior to such election.

Section 2. The County Chairman so elected shall appoint all permanent committees provided in the By-Laws, and announce the same before the next regular meeting of the County Committee. He shall also appoint all special committees which may be required during his term of office.

Section 3. The powers and duties of the Officers and Committees so elected or appointed shall be defined in the By-Laws.

Section 4. Vacancies which may occur during the term of any office shall be filled at the next regular meeting of the County Committee.

ARTICLE V

Maintenance

Section 1. Funds for the operation and maintenance of the County Committee shall be provided according to the By-Laws.

Section 2. A political library shall be provided for use as occasion requires for educational purposes and the extension of party activities.

ARTICLE VI

Cooperation and Extension

Section 1. This Constitution and By-Laws shall at all times conform with the rules and regulations of the Democratic State and National Committees and any part hereof which may be contrary to or in violation of the same shall be immediately repealed upon notice from the State or National Committees.

Section 2. This Constitution and By-Laws, as hereby adopted or hereafter amended, shall constitute the fundamental law for the government of the Democratic Party in Berks County. Any provision in the Constitution and By-Laws of district, local or club organizations, contrary to or in violation of the same is hereby disavowed.

Section 3. All Democratic candidates for office and all Democratic appointees to places of public trust shall adhere to this Constitution and By-Laws.

ARTICLE VII

Amendments

Section 1. All proposed amendments shall be read at any regular meeting and no action shall be taken thereon for a period of at least one (1) month.

Action shall be taken upon such proposed amendments either at a regular or special meeting. At least ten (10) days prior to said special meeting date, or regular meeting date, a copy of the proposed amendments, together with a notice of the special meeting, or regular meeting, shall be mailed to each committeeperson. A proposed amendment may be modified before said second meeting so long as the modification is germane to the amendment originally proposed. An affirmative vote of a majority of the committeepersons present shall be necessary to adopt the same. All amendments shall become effective immediately upon adoption unless otherwise provided therein.

Section 2. All amendments to this Constitution and By-Laws shall upon adoption, be immediately submitted to the Pennsylvania State Committee, pursuant to it's Rules.

BY-LAWS

Article I

Government

All legislative, executive and judicial functions for the government of the Democratic Party in Berks County shall be vested in the Democratic County Committee.

Article II

Organization

Section 1. The Democratic County Committee of Berks County shall consist of the committeepersons duly qualified Democratic electors, who shall have been legally elected from each district or precinct of the county at the spring Primary in gubernatorial election years and such as may have been appointed by the County Committee.

Section 2. Elected and appointed members of Democratic State Committee will be members of this committee with the same rights and privileges extended to committee men and women.

Section 3. Sixty (60) at large delegates will be elected by a majority vote of the County Committee at a regular meeting. The sixty will be divided by equal division, thirty (30) men and thirty (30) women. Twenty of the delegates (10 men and 10 women) will represent the wards of the City of Reading, forty of the delegates (20 men and 20 women) will represent the boroughs and townships of Berks County. Such delegates shall be proposed by a committeeperson in that proposed delegate's district or precinct, to the Executive Board for it's recommendations to the County Committee. No district or precinct can have more than one (1) at large delegate. At large delegates shall have the same rights and privileges as other members of the organization. The term of office will expire with the election of new committeepersons.

Section 4. Any vacancies which may exist shall be filled by the County Committee for the unexpired term. During the period of time intervening

between the primary election, at which county committee members are elected, and the re-organization meeting of the County Committee, no vacancies existing in the membership of the County Committee shall be filled.

Section 5. Any member unable to attend a meeting, of the Democratic County Committee may be represented by a proxy. Such proxy must be a legally qualified elector of the district or precinct he or she represents. No proxy shall so represent a regular member for more than three consecutive meetings. A proxy form provided by the County Committee for meetings will be the method recognized for proxy attendance.

Section 6. The regular elected members of this committee shall assemble on the third Saturday after their election. At such meeting the first order of business shall be the election of officers. The outgoing County Chairman shall preside at this meeting and until his successor has been elected and installed. Any other business of this committee may be transacted at that meeting.

Section 7. Nominations for officers shall be made as designated and in the order provided by Article IV, of the Constitution. Any member so nominated may decline or withdraw his/her name before a ballot is taken. .

Section 8. Election of officers shall be by a secret ballot, by the members of the various districts or precincts called in alphabetical order. If there are more than two candidates for any office, the one receiving the lowest vote on each ballot shall be dropped successively until one of the nominees shall receive a majority vote of the total membership of those present. If there be no opposition for any office, the candidate may be elected by a rising vote of the entire membership present.

Section 9. The election board shall consist of three members appointed by the Chairman. One shall call the roll of membership in alphabetical order by districts or precincts and check the names of the voters, the second shall announce the names of the candidates voted for and the three shall tally the votes. The result of each ballot shall be computed by the three members of the election board and the vote announced by the Election Board Chairman.

Section 10. Local district organization and clubs shall be encouraged and assisted by the County Committee in conformity with Article VI, Section 2 of the Constitution. Rules and regulations for the government of such district organization and clubs must be submitted to the Judiciary Committee . of the County Committee for approval, correction or amendment; and all disputes between local organizations and the County Committee shall be settled by the Judiciary Committee. Appeals from such decision may be made to the entire membership of the County Committee.

Section 11. In addition to the regularly elected officers of this organization, the County Chairman shall appoint the following permanent committees:

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1. Finance Committee
2. Auditing Committee
3. Education Committee
4. Organization Committee
5. Judiciary Committee
6. Campaign Committee

There shall also be an Executive Committee consisting 'of the regularly elected officers of the County Committee and the Chairman/woman of the foregoing permanent committees.

ARTICLE III

Meetings

Section 1. There shall be three classes of meetings as follows:

1. The re-organization meeting on the third 'Saturday after election of members of the County Committee.
2. Regular meetings according to Article III, Section 2 of the Constitution for the transaction of any business which may be brought before the committee.
3. Special meetings for the transaction of special business.

Section 2. The order of business shall be as follows;

ORGANIZATION MEETING

Call to Order
Registration of Members
Roll Call of Members
Reading of Minutes
Nomination of Officers
Election of Officers
Installation of Officers
Announcement of Next Regular Meeting
Adjournment

Section 3. Committee Meetings

1. The County Chairperson shall call all meetings of the Executive Committee, said Committee shall meet at least monthly.
2. The Chairperson of each committee shall call meetings of his or her committee as the occasion requires. Reports of all committee meetings shall be made orally at the next regular meeting of the County Committee, except when requested by the County Chairperson for a written report.

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REGULAR MEETING

Registration of Members
Call to Order
Roll Call
Reading of Minutes
Report of Secretary
Treasurer's Report
Financial Secretary's Report
Report of Committees
Action of Committees
Unfinished Business
New Business
Appointment of Committees
Verbal Communications
Good of the Order
Adjournment

SPECIAL MEETING

Call to Order
Roll Call
Statement of Object of Meeting
Action of Question
Adjournment

Section 4. One-fourth of the whole number of the members of the County Committee shall constitute a quorum for the transaction of business at a Democratic County Committee meeting.

ARTICLE IV

Duties of Officers

Section 1. A. The County Chairperson shall preside at all regular and special meetings of the Democratic County Committee and at the bi-annual organization meeting until his or her successor has been elected and installed. He or she shall issue calls for special meetings as required or requested by any twenty-five (25) members of the committee. He or she shall be

Chairperson ex-officio without voting power on all other committees. He or she shall conduct the meeting in accordance with the approved order of business. He or she may sign orders for money drawn from the Treasury and perform such other duties as may be required by this Constitution and By-Laws.

B. The County Chairperson shall cooperate with the local, state and national Democratic committees on all questions of policy and legal compliance with the rules and regulations of the Democratic Party.

C. The Chairperson shall appoint a Sergeant at Arms to examine the validity of proxies, to preserve order and confine the attendance at Democratic County meetings to members of the

! Berks County Democratic Committee and Democratic State Committee members as well as those individuals who receive the County Chairperson's prior approval. Section 2. The County Chairperson may be impeached for misconduct or

malfeasance in office, and upon conviction by a two-thirds vote of the total membership of this committee, his or her office shall be declared vacant, and the Vice-Chairperson shall serve in his or her place until a successor has been elected and installed. In all impeachment proceedings the Chairperson of the Judiciary Committee shall preside.

Section 3. In the absence or disability of the County Chairperson, the ¹ Vice-Chairman and in his absence, the Vice-Chairwoman shall preside and perform all the duties of the County Chairperson as set forth in the preceding sections.

Section A. The Recording Secretary shall keep correct and accurate minutes of the proceedings of all meetings of the County Committee. He or she shall keep a record of the names of all the members of the organization and of the personnel of each permanent and special committee. He or she shall keep a record of all the receipts and expenditures of the County Committee. He or she

! shall receive all written communications, reports of committees and officers and keep a file of same. He or she shall conduct all correspondence, as mandated by the Executive Committee or the Democratic County Committee. He or she shall keep a convenient file of all correspondence, and deliver the same to his or her successors. He or she shall be the custodian of this Constitution and By-Laws. Upon retirement from office, he or she shall deliver all secretarial books, papers, documents and other property entrusted to him or her during his or her term of office to his or her successor.

Section 5. The Financial Secretary shall receive all monies obtained, collected or contributed from all sources for the support and maintenance of the Democratic County Committee, giving his or her receipts therefore, and turn over the same to the Treasurer at every regular meeting or at any other convenient time between meetings, but said monies must be turned over at least once a month. He or she shall keep a full detailed and accurate account of all receipts and expenditures, open and accessible at all times to the County Chairperson and to the Auditing Committee. He or she may counter-sign orders upon the Treasurer for the expenditure of money. He or she shall submit an annual report of all receipts and expenditures to the Auditing Committee.

Section 6. The Treasurer shall be the custodian of all monies received from the Financial Secretary, giving his or her receipts therefore. He or she shall deposit all monies received in a banking institution of his or her choice approved by the Executive Committee. He or she shall keep a correct and accurate account of all receipts, deposits and expenditures, open and accessible at all time to the County Chairperson and to the Auditing Committee. He or she shall sign all checks, pay all bills approved by the Executive Committee and make disbursements by check only upon orders drawn upon the Treasury, countersigned by the County Chairperson or Financial Secretary. He or she shall also make an accurate report of all receipts and disbursements for nomination and election expenses as required by law. He or she shall report the condition of the Treasury at every regular meeting of the County Committee, and submit an annual report of all receipts and expenditures to the Auditing Committee. At the time of his or her retirement from office, he or she shall turn over all monies in his or her possession for the account of the Democratic County Committee to his or her successor in office and obtain a receipt therefore upon approval of his or her accounts by the Auditing Committee.

Section 7. The Financial Secretary and Treasurer shall each be required to furnish a corporate bond at the expense of the County Committee to the Committee in such amounts as may be designated by the Executive Committee.

Section 8. For entry to the Safe Deposit Box, two of the following officers: the Chairperson, Financial Secretary or the Treasurer must be present.

ARTICLE V

Duties of Committees

Section 1. The Finance Committee shall be charged with the duty of raising funds for the support and maintenance of the organization. They shall also prepare a campaign budget and submit it for approval to the Executive Committee. The Financial Secretary and the Treasurer shall be ex-official members with voice and vote.

Section 2. The Educational Committee shall have charge of speakers and teachers to explain the fundamental principles of the Democratic Party to voters and young Democrats, and to address public meetings during the campaigns. This Committee shall also prepare schedules of public meetings.

A. The Chairperson of the County Committee may appoint a Public Director for advertising and news items for the press and radio announcements and plan their activities so as to be in harmony with the principles of the Party.

Section 3. The Auditing Committee shall audit the books and accounts of the Financial Secretary and Treasurer annually and at such times as may be required, and submit a report of the same to the County Committee for approval and to the Finance Committee for their use , in preparing the budget and perform such other duties as may be required by the By-Laws.

Section 4. The Organization Committee shall have charge of the formation of new clubs and party organizations, and assist in the formation of the same. They shall study the local conditions and problems of new clubs and give such advice and assistance as may be necessary to increase the Party strength and political influence of the Democratic Party in Berks County.

Section 5. The Judiciary Committee shall approve, correct or amend such rules and regulations for the government of district organizations and clubs and shall approve, correct or amend such rules and regulations. The Judiciary Committee shall hear and decide disputes between the local organizations and the County Committee. Additionally, at the request of the County Chairperson, the Judiciary Committee shall hear all disputes involving committee persons in regard to their duties as such. Following such hearings, the Committee shall recommend to the Democratic County Committee the action to be taken in regards to such disputes. All such business of the Judiciary Committee shall be initiated and brought before the Judiciary Committee at the request of the County Chairperson, or the Executive Committee, or the Democratic County Committee as a whole. The Judiciary Committee shall also perform such other functions as may be assigned to it under the terms of these By-Laws now existing or as amended from time to time.

Section 6. The County Chairperson annually shall appoint a Campaign Committee who will be responsible for organizing and conducting the November campaign.

Section 7. The Executive Committee shall decide all questions of policy and procedure, and shall take such action between meetings as may be necessary to meet unforeseen and unexpected emergencies.

ARTICLE VI

Duties of Candidates

Section 1. Every Democratic candidate for office under the jurisdiction of the County Committee shall subscribe to and be subject to this Constitution and By-Laws.

Section 2. Vacancies which may occur between the Primaries and the General Elections, due to death, resignation, removal or disqualification for cause, or nomination for special election, shall be filled by the County Committee according to the methods prescribed for the election of officers in Article II, Section 6, of these By-Laws.

Vacancies which may exist due to the failure of candidates to qualify for any office shall be filled in the same manner by the County Committee. Candidates so elected, by the County Committee shall be recognized nominees of the Democratic Party for the office to be filled. Provided, however, that this section shall be operative only in such cases as are not provided by law.

Section 3. Every candidate in the general election shall be expected to make a contribution to the County Committee to defray the costs incurred by said committee in the promotion of the candidates, and the Party generally, in the upcoming election. Such contributions shall be in accord with reasonable standards as set forth by the Finance Committee.

Section 4. Contributions.

A. Contributions shall be used for election expenses as provided by the Act of Assembly.

ARTICLE VII

Amendments

Section 1. Amendments to these By-Laws may be made in the manner prescribed by Article VII of the Constitution.

Section 2. The order of business may be temporarily changed or suspended at any meeting by a majority vote of the members present, but such changes shall be effective only for¹ the meeting in which they are adopted.

ARTICLE VIII

Enactment

This Constitution and these By-Laws shall become effective immediately upon approval and adoption of the same by a majority vote of members of the Democratic County Committee in attendance.

Good and Welfare

Elected officials who are registered Democrats shall be invited to attend County Committee meetings. They shall have a voice only at the invitation of the County Chairperson but shall have no vote.

MEMBERS OF BY-LAWS COMMITTEE

G. Roderick Snyder, Esq., Jardell Yohn, Ruth Wiltraut, Stanton Clay, John Liss, Stanley Fox, Rose Papich, Susan Kline, Donald MacLean, Ernest Heckman, Darlington Hoopes, Jr., Esq., Anthony Carabello and Joan Kohl.

This Constitution was amended on December 11th 1993.