

# BY-LAWS OF THE PROGRESSIVE DEMOCRATS of DARE COUNTY

Adopted: July 22, 2017 Revised: January 23, 2019

## PREAMBLE

We are the Progressive Democrats of Dare County, the Dare County chapter of the Progressive Caucus of the North Carolina Democratic Party (PC/NCDP). Recognizing that the North Carolina Democratic Party has committed itself to the principles of equal opportunity of participation in the political process and of fair representation at every level of state activity, we organize with the intention of advising and assisting the PC/NCDP and the Dare County Democratic Party on issues which North Carolinians in Dare County face; and helping to develop solutions with which we can best fulfill the needs of all Dare County residents.

As the Progressive Democrats of Dare County, we seek a truly just society – a society that values people over money inside and outside of the Democratic Party. We will collectively and individually work through the NCDP, Dare County Democratic Party, county/district chapters in the PC/NCDP, and other like-minded organizations to eradicate all forms of discrimination. We will work toward the realization of a State in which social equity and a respect for individual dignity prevail. We therefore pledge that, consistent with the principles of the State and County Party, and PC/NCDP, we honor the rules set forth in these by-laws, the by-laws of the PC/NCDP, the Plan of Organization of the North Carolina Democratic Party, the North Carolina Democratic and National Party Platforms, and Roberts Rules of Order, as applicable state and federal laws.

## ARTICLE I - NAME

This Organization shall be known as the "Progressive Democrats of Dare County" (hereinafter referred to as "Organization").

## ARTICLE II - OBJECTIVES

The objectives of this Organization are to:

- A. Develop and effect progressive positions on matters of public interest;
- B. Coordinate like-minded efforts with other groups in the county;
- C. Teach democratic procedures and values throughout the Democratic Party;
- D. Promote the organization of all precincts to encourage more and diverse voices in the direction and leadership of the Dare County Democratic Party;
- E. Promote voter registration and voter participation in all elections;
- F. Further the campaigns of progressive Democratic candidates for public office;
- G. Assist the PC/NCDP with promoting the formation and organization of all District and County Progressive chapters to encourage more and diverse voices in the direction and leadership of the Democratic Party and across the state of NC.

## ARTICLE III - MEMBERSHIP & JURISDICTION

- A. Membership in this Organization is voluntary and open to all residents, and persons enrolled in school in Dare County. Students enrolled in a school outside of their County/Congressional District of residence may only be a member of one of the two County / Congressional District chapters.
- B. Classifications. There shall be two (2) classifications of membership:
  1. Voting members. Anyone registered to vote as a Democrat in Dare County shall be eligible for Active Voting membership who has:
    - a. Paid their annual membership dues to the state caucus.
    - b. Attended and became an Organization member during at least one regularly

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- scheduled meeting. Prospective members who join during a meeting held to conduct an election shall be considered a member after that meeting adjourns. In no event shall a prospective member who joins during a meeting held to conduct an election be eligible to vote in that election.
- i. Attendance is determined by members and guest registration on sign-in sheets maintained by the Vice President and Treasurer.
  - ii. It is the duty of all officers, members, and guests to assure their attendance at all such meetings is recorded on the sign-in sheets.
- c. Identifies as a Progressive Democrat.
  - d. Paid membership dues to the local Organization.
2. Affiliate members. Anyone who is not registered to vote as a Democrat in Dare County shall be eligible for Affiliate membership who has:
- a. Paid membership dues to the local Organization.
  - b. Follows the same attendance guidelines as Voting members.
  - c. Identifies as Progressive.
- C. Voting members of this Organization are automatically members of the Statewide Caucus and their respective District Chapters, subject to any rules of membership at those levels. Membership records for this Organization will be shared with the Statewide Caucus and the District Chapters.
- D. Any person who has publicly renounced membership in this Organization shall be considered a former member. They shall be removed from the membership rolls, and shall not be entitled to benefits of membership, including (but not limited to) voting, membership in social media, and receiving notice of meetings.

## ARTICLE IV - RECOMMENDED FINANCIAL CONTRIBUTIONS (DUES)

- A. Active Voting members shall make an annual contribution to the state treasury of in the amount set by the PC/NCDP. Dues may be paid all at once, or incrementally over the remainder of the calendar year. Amounts contributed in excess of annual dues will be considered donations.
- B. Affiliate members may make monetary or in-kind contributions to the Organization.
- C. This Organization shall, per agreement with the state caucus, arrange to forward its portion of dues to the state caucus on a quarterly basis as dues are paid and donations are made.
- D. Any change in dues must be announced by e-mail or via social media to Organization members not less than thirty (30) days prior to the date each year on which dues are due and payable. Dues may be payable in person at an Organizational Meeting, by mail, or on-line and in the same month of the following year.
- E. Any member may request in writing or in person that the Membership & Credentials Committee allow the deferral or waiver of dues on the grounds of economic hardship. Denial by the Membership & Credentials Committee may be appealed to the full body of County Chapter Executive Officers.
- F. In-Kind Contributions
  1. Any in-kind contributions made to the Organization (including but not limited to fees or maintenance of any internet or social media assets) may only be made with the prior knowledge and approval of the Executive Officers including the Treasurer.
  2. A written agreement between the Organization and contributor(s) is required for one or more in-kind contribution(s) totaling over \$50 in value in a two-year election cycle.
  3. No in-kind contribution may be made or will be accepted without written documentation of the value of the contribution.

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4. Once the in-kind contribution is approved and made, the contribution is hereinafter considered the property of the Organization and not the property of the original contributor(s).
  5. Control of any technical, banking, or other assets needed by the Organization that are made as an in-kind contribution maintained either by an officer or non-officer shall be considered the property of the Organization and MUST be returned to Organization when the officer's term is up, or the officer vacates, resigns, or is removed from office.
  6. For any meeting where members bring food and/or beverages, food and/or beverages will not be considered as in-kind contributions unless for a special purpose made with the prior approval of the Executive Officers before the in-kind contribution is made.
- G. Financial Commitments & Conflicts of Interest
1. No officer or member of this Organization shall make any financial commitment involving the expenditure of the Organization's funds other than those provided herein unless such person has been so authorized by the Executive Officers or the general membership specifically authorizing such expenditure or in-kind commitment.
  2. It is a conflict of interest for an officer or member of this Organization to use ANY Organization resources to benefit themselves, another individual, or another group.
  3. Violation of items 1. or 2. In this section shall constitute grounds for termination of membership and/or removal from office under Article VI, B.1.b. Any Active Voting member of the Organization may file the charges.

## ARTICLE V - EXECUTIVE COMMITTEE OFFICERS AND DUTIES

- A. There shall be an Executive Committee composed of the elected officers that shall meet upon the call of the President to plan Organization activities.
  - B. Starting in 2019, all Executive Committee officers shall be elected for two-year terms in an odd year at the first meeting in May, nominated from the floor, with terms to take effect at the September meeting.
  - C. Only Active Voting members may nominate candidates for elected office, or vote for candidates for office in this Organization.
  - D. Only Active Voting members who have attended a minimum of four (4) meetings over may be nominated as candidates for elected office or serve as officers in the Organization.
  - E. The Treasurer, Assistant Treasurer, and Parliamentarian are be appointed by the President upon approval by elected Executive Committee members and serve as member of the Executive Committee.
  - F. Executive Committee officers shall be elected by a simple majority (50% plus one vote) from persons nominated under Section B of this Article. In the event that more than two candidates run for the same single position and no candidate achieves a simple majority, the candidate getting the lowest number of voters shall be dropped in runoff elections until one candidate obtains a simple majority (50% plus one vote).
1. President  
The elected Organization president must be certified to the president of the state caucus. The president of the state caucus will certify the president to the NCDP Chair as per the NCDP Plan of Organization.
    - a. Serves as co-spokesperson for Organization.
    - b. Coordinates date, time, and location of Organization meetings.
    - c. Facilitates and moderates Organization meetings.

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- d. Represents Organization in Dare County Democratic Party activities, as well as with any district or state Organizations.
  - e. Coordinates activities of the Organization's officers.
  - f. Appoints Treasurer and Assistant Treasurers.
  - g. Appoints Parliamentarian.
  - h. Represents the club within the Democratic Party:
    - The president represents the county caucus at the county Democratic Party's County Executive Committee (CEC), and at meetings of the Dare County Democratic Party's Executive Officers (by invitation of the chair of the CEC).
    - The president represents the caucus at the Congressional District's Democratic Party's Executive Committee.
2. Vice President
    - a. Serves as Parliamentarian, until one is appointed by the President.
    - b. Serves the function of the President in his/her absence.
    - d. Co-chair of Membership & Credentials Committee (standing committee) with Treasurer.
  3. Secretary  
(NOTE: for groups of 10 members or less the President can appoint a combined Secretary, Treasurer position).
    - a. Prepares and distributes meeting minutes.
    - b. Maintains all non-financial Organization records.
    - c. Maintains membership records.
    - d. Distributes information regarding amendment of by-laws.
  4. Treasurer & Assistant Treasurers (appointed)
    - a. Oversees treasury.
    - b. Maintains accounting of all Organization financial transactions.
    - c. Coordinates Organization fundraising efforts.
    - d. Chair of Fundraising Committee (standing committee).
    - e. Co-chair of Membership & Credentials Committee (standing committee) with Vice-President.
    - f. Submits necessary paperwork in accordance with State and Federal law.
- G. All Executive Committee Members shall:
1. Help set up the venue before the meeting starts, and check that everything is in order before other officers, members, and guests arrive.
  2. Help with the cleanup process after meetings by packing up all equipment and materials, cleaning up, and restoring the room or hall to original state per instructions from President, Vice-President, or host(s).
  3. Read the by-laws of this Organization, the county Democratic Party Alternative County Party Plan of Organization (as appropriate), and the NCDP Plan of Organization.
  4. Transmit all records, user IDs and passwords to e-mail address, social media, websites, and any technical or banking/financial assets pertaining to their office to their successor within ten (10) days of resignation, replacement, or vacating office.

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- H. Standing Committees
  1. The Organization shall have two standing committees: (1) Membership and Credentials and (2) Fundraising.
  2. The Membership and Credentials Committee shall be comprised of the Treasurer, Secretary, and one other member appointed by the President.
  3. The Treasurer shall serve on the Fundraising Committee, with the other members appointed by the Executive Committee.
  
- I. Issue Oriented Committees
  1. The Organization may create such standing or ad hoc issue oriented committees as it shall deem appropriate.
  2. Except as otherwise provided in these by-laws, the members of all standing committees shall be appointed by the Committee Chair(s) in consultation with the Executive Committee.
  3. Ad Hoc Committee Chairs shall be appointed from the Active Voting members of the Organization by the President within thirty (30) days of formation or upon vacancy.
  4. All matters referred to any special committee, standing committee, or other sub-group must be acted upon and said action reported to the body that originated the committee, and the Organization's Executive Committee.
  
- J. Continuing Body
  1. This Organization is, and shall function as, a continuing body.
  2. All the Organization's internet, banking, or other assets (including internet, Facebook, email, and other social media accounts) shall be placed in the name of the Organization, with expenses paid for by the Organization's Treasury whenever possible. The name or names of one or more Executive Officers may be used for registration of the asset if required by regulatory or other authority, as long as that officer agrees to transmit all records and control of the assets to their successor or the President within ten (10) days after officer's term is up, or the officer vacates, resigns, or is removed from office.
  
- K. Any internet, banking, or other assets (including internet, Facebook, Meetup, and other social media accounts) needed by the Organization that cannot be placed in the name of the Organization or an Executive Officer may only be placed in the name of an Organization member with the permission of the Executive Committee under a written agreement transferring said assets as the property of the Organization. Any written agreement must require the member to transmit all records and control of the assets to their successor or the President upon written request within ten (10) of when the request was made.
  
- L. Upon the removal of officers from their office, or the resignation, or protracted illness, the President shall appoint two (2) officers whose responsibility shall be to ensure the safe and intact transfer of all records, correspondence, files, books, financial records, and documents as they pertain to the Organization from the old officers to the newly elected or appointed officers or chairs to ensure the continued operation and function of said office and/or committee.

## ARTICLE VI - RESIGNATIONS AND REMOVAL FROM OFFICE

- A. Resignations from office
  1. An officer of the Organization shall resign by written notice to the President, except for the President who shall resign by written notice to the Executive

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- Committee.
- 2. All resignations shall be immediately effective, unless otherwise specified in writing.
- B. Causes for removal from office
  - 1. Appealable to the PC/NCDP Judicial Board and beyond that to the PC/NCDP Executive Committee
    - a. Non-performance of Duties
      - i. If any elected or appointed Organization Executive Committee officer is either unwilling or unable to perform the duties for which they were elected, that may be considered non-performance of duties.
      - ii. Non-performance of duties shall constitute cause for removal as an Organization elected or appointed Executive Committee officer and may be appealable to the PC/NCDP Judicial Board, following procedures documented in the State Caucus rules or by-laws.
    - b. Violation of rules of the by-laws of this Organization (except as listed under Section B.2. of this Article), the PC/NCDP, or the NCDP Plan of Organization, shall constitute cause for removal of an Organization officer.
  - 2. Non-appealable to the PC/NCDP Judicial Board or beyond that to the PC/NCDP Executive Committee
    - a. Excessive absences (more than 33% meetings in a term of office will have the same effect as the officer resigning the position without written notice.
    - b. Failure to pay dues shall constitute cause for removal as an Executive officer provided that the officer in question is given advance notice of dues being payable.
- C. After notice and opportunity for a hearing with the Organization's Executive committee or the PC/NCDP Judicial Board and upon good and sufficient cause, the governing body may remove an officer.
- D. All decisions by the Executive Committee present and voting shall be final and binding upon all Organization members and Executive Committee officers, except in the case of appeal via the PC/NCDP Judicial Board.
- E. Any officer of the Caucus who is party to a dispute shall be recused from voting on appeal.

## ARTICLE VII - VACANCIES

A vacancy in any office may be filled at the meeting following that at which the vacancy is first announced.

## ARTICLE VIII - MEETINGS

- A. Regular meetings shall be held at least quarterly unless changed by a majority vote of the Executive Committee and announced a minimum of two weeks in advance.
- B. The regular meeting in May shall be known as the annual meeting and shall be for the purpose of electing officers to biennial terms in odd years, and making annual reports of officers and committees.

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- C. The only exception to this shall be meeting site closures or cancellations due to facilities scheduling conflicts, inclement weather, or Acts of God.
- D. Additional meetings of the general membership may be scheduled by a majority vote of active voting members at any regular meeting of the members, or may be scheduled by a vote of a majority of the Executive Committee so there can be a minimum of seven (7) day advance notice.
- E. Meetings of the Executive Officers may be called by the President or any two other Executive Officers with at least seven (7) days advance notice, except in the event of emergencies when such meetings may be called with as little as two (2) days advance notice.
- F. Meetings may be held electronically or via online meeting software if they follow guidelines allowing for complete membership participation.

## ARTICLE IX – AUTHORITY, ORDER OF BUSINESS AND PROCEDURES

- A. Organization meetings will be conducted pursuant, in order of precedence, to the NCDP Plan of Organization, PC/NCDP by-laws, any standing or and special rules adopted by the Organization, and Roberts Rules of Order (latest edition).
- B. The affairs of this Organization shall be governed by a vote of its voting members present at any regularly scheduled meeting, or by Executive Officers at Executive Board meetings, in accordance with Section IX. C of these by-laws.
- C. Except as otherwise provided-in Section IX. A, all actions taken by this Organization, Executive Officers or any subordinate body of this Organization shall be by affirmative vote of a majority of those members eligible to vote who are present and voting, a quorum being present.
  - 1. A quorum for transaction of business at any meeting of the Executive Officers shall consist of forty percent (40%) of the Executive Officers.
  - 2. A quorum for transaction of business at any general meeting shall consist of a minimum of five (5) Active Voting Members in good standing.
  - 3. Abstaining members count as being present for purposes of a quorum, but abstentions do not count for purposes of determining the outcome of a vote.
  - 4. Secret ballots shall not be allowed on any vote. In the event a written ballot is utilized in any proceeding, it shall bear the printed name and signature of the voter, and shall be maintained by the Organization for a period of at least ninety (90) days.
  - 5. A member must be present to participate in the business of Organization or any subordinate body. No proxy or absentee voting shall be permitted.
- D. The Organization shall provide timely notice to members and the general public via email or designated social media. Web page, Facebook, and other social media outlets, as well as other forms of media may be used to supplement regular notice via email or designated social media.

## ARTICLE X - AMENDMENTS

These by-laws may be amended by a two-thirds (2/3) affirmative vote of Active Voting members voting at a duly scheduled meeting of the Organization where quorum is present provided, via paper or electronic means, a written copy of the proposed amendment is furnished each member of the Organization along with the notice of the scheduled meeting at least seven (7) days prior to the meeting at which the vote is to be taken.

**THESE BY-LAWS WERE ADOPTED ON JULY 22, 2017 AND AMENDED ON JANUARY 23, 2019.**