

Democratic Executive Committee of Lee County Florida
Constitution

Table of Contents

Preamble

Article I: Name and Powers

Section 1. Authority

Section 2. Name

Section 3. Powers

Article II: Object

Article III: Membership

Section 1. Categories of Membership

Section 2. Elected Members

Section 3. Appointed or At-Large Members

Section 4. Automatic Members

Section 5. Honorary Members

Section 6. Special Membership-Emeritus

Section 7. Associate Members

Section 8. Qualifications

Article IV: DEC Officers

Section 1. Officers

Section 2. Terms of Office

Section 3. Removal from Office

Article V: Steering Committee

Section 1. Creation and Authority

Section 2. Membership

Section 3. Meetings

Section 4. Quorum

Section 5. Emergency Business

Article VI: Committees

Section 1. Standing Committees

Section 2. Special or Ad Hoc and Caucuses

Article VII: Meetings

Section 1. Organizational Meeting

Section 2. Regular Business Meeting

Section 3. Participation

Section 4. Quorum

Article VIII: Clubs, Organizations, and Caucuses

Section 1. Clubs, Organizations, and Caucuses using the name Democrat, etc.

Section 2. Proxy Voting

Section 3. Quorum

Section 4. Committee on Clubs, Organizations, and Caucuses Duties

Section 5. Chartering, Organization, Recertification, etc.

Section 6. Clubs and Caucuses

Article IX: County Convention

Article X: Parliamentary Authority

Article XI: Amendments

Article XII: Effective Date

Article XIII: Severability

Article XIV: Adoption of Amended Constitution

CONSTITUTION OF THE DEMOCRATIC PARTY OF LEE COUNTY FLORIDA

PREAMBLE

We, the Democrats of Lee County Florida, united in common purpose, hereby dedicate ourselves to the principles which have historically sustained our Party. We recognize that a political party which wishes to lead must listen to those it would lead, that a party which asks for the people's trust must prove that it trusts the people, and that a party which hopes to call forth the best the state and nation can achieve must embody the best of the state's and nation's heritage and traditions.

The Democratic Party of Lee County, and all its components, shall encourage voter registration without discrimination on grounds of race, color, creed, sex, age, religion, economic status, ethnic identity, national origin, disability, or sexual orientation, or gender identity and expression.

What we seek for our state and nation we hope for all people: individual freedom in the framework of a just society; political freedom in the framework of meaningful participation by all citizens.

ARTICLE I: NAME AND POWERS

Section 1. AUTHORITY:

This Constitution is established under the authority of Florida Statute 103.121(1)(a)1 and the Charter and Bylaws of the Florida Democratic Party (FDP), as amended.

Section 2. NAME:

The organization representing all registered Democrats in Lee County shall be known as the Democratic Party of Lee County. The name of the governing body of the Democratic Party of Lee County is the Executive Committee or Democratic Executive Committee, hereinafter referred to as the "DEC."

Section 3. POWERS:

The DEC shall have all those powers granted to it by Florida Statutes or the FDP Constitution and Bylaws and shall be invested with supervisory power and jurisdiction over and set policy for all the Democratic Party matters in each and every congressional district, municipality, or subdivision thereof in Lee County and shall prescribe, impose, and enforce sanctions for violations thereof through a process which assures a fair hearing.

ARTICLE II: OBJECT

The object of this organization shall be:

- A. To promote the understanding of the principles of the Democratic Party among citizens of Lee County;
- B. To stimulate among Democrats an active interest and participation in the policies and organization of the DEMOCRATIC PARTY;
- C. To promote among Democratic officeholders of Lee County, an awareness of their special relationship to the Democratic voters and the Democratic Party of Lee County;
- D. To support and assist Democratic office holders of Lee County in the fulfillment of their duties;

E. To assist in and support the election of Democratic Party nominees, to recruit and assist qualified Democratic Party members to become candidates for public office, and to encourage leadership in Democrats who become nominees, candidates, and office-holders in Lee County under the auspices of the Democratic Party;

F. To do all these things which by law or custom and practice are both necessary and proper functions of an organized political party.

ARTICLE III: MEMBERSHIP

Section 1. CATEGORIES OF MEMBERSHIP:

The DEC shall be composed of the following categories of membership:

ELECTED (Precinct Committeeman and Precinct Committeewoman)

APPOINTED or AT-LARGE

AUTOMATIC

HONORARY

EMERITUS

Section 2. ELECTED MEMBERS:

A. Definition: Elected members are defined as those persons elected pursuant to the Precinct System and those elected by the DEC to fill vacancies in precincts. Such members shall qualify and be elected to office at such time and such manner as provided by Florida Statutes.

Precinct System: In a county consisting of fewer than two hundred (200) precincts, the elected membership of the DEC shall consist of a man and a woman from each precinct who are registered Democrats, and who reside in, are registered to vote in, and are elected from the precinct they are to represent. Should the voter registration of any precinct total more than one thousand (1,000) as of January 1 of a year in which qualifying for election to the DEC occurs, the DEC may, by amendment to its Bylaws, and upon immediate notification to the Supervisor of Elections (SOE) of Lee County by certified mail, and upon immediate notification to the FDP Chair by certified mail, elect an additional one (1) man and one (1) woman to represent all such precincts. They shall be elected by a plurality vote on the first primary ballot of each Presidential election year. At any time a precinct totals one thousand (1,000) registered voters or when new precincts are created, additional DEC positions may be created. Such positions shall be filled by the DEC according to its procedures for filling vacancies.

B. Terms of Office and Eligibility to Vote:

1. Members elected and eligible under the Precinct system shall take office on the first day of the month following the Presidential Election and shall serve for a term of four years.

2. Members elected by the DEC to fill a Precinct Committeeman or Precinct Committeewoman vacancy shall serve for the balance of the unexpired term of that office. The Vice Chair of the Democratic Party of Lee County shall furnish the SOE, Lee County and to the FDP Chair of the Executive Committee a list of the vacancies filled by election or appointment within ten (10) days. No such appointee to fill a vacancy shall be deemed a voting member of the DEC until these provisions have been complied with and until the appointee has taken the oath as prescribed herein and said oath has been filed with the SOE, Lee County.

3. Only those members elected under the precinct system are eligible to vote at the organizational meeting.

Section 3. APPOINTED OR AT-LARGE MEMBERS

A. Definition: The Chair of the DEC may appoint “At-Large” members, subject to the approval of the DEC (by a majority vote of the members present and voting). The number of “At Large” appointments which may be made may not exceed ten percent (10%) of the total “Elected” membership to which Lee County is entitled under Florida Statute and FDP Bylaws.

B. “At-Large” members shall serve terms running from the time of appointment to the last day of the month of the presidential election.

C. Such appointed “At-Large” members shall be registered Democrats residing in Lee County and shall serve at-large and enjoy such voting and other privileges of membership on the DEC as if elected from precincts under procedures applicable to “Elected” members. The selection of “At-Large” members should be made in such a manner as to achieve gender, racial, ethnic, economic, minority or other fair, equitable and broad-based representation within the DEC. Procedures for approving “At-Large” appointments shall be set forth in the DEC Bylaws.

Section 4. AUTOMATIC MEMBERS

A. Definition: Automatic members shall be defined as those who are members by virtue of Florida Statutes or those who are members by virtue of the DEC bylaw provision naming county Democratic elected officials, presidents of duly chartered Democratic Clubs, or presidents of chartered local Democratic caucus chapters who reside in Lee County. Such members shall serve for the duration of their term of office. Automatic members shall enjoy voting privileges, however, they shall not serve as officers of the county DEC.

B. Attendance: Automatic members shall not be required to meet attendance requirements. Automatic members shall not be computed when determining a quorum.

Section 5. HONORARY MEMBERS

A. Definition: The DEC may have ‘Honorary’ members who shall exercise all powers of membership except the right to vote. The Honoree may be recommended by any officer or Steering Committee member and must be approved by two-thirds (2/3) of the members of the DEC present and voting.

B. Criteria for selecting “Honorary” members shall be established by the DEC Bylaws.

C. Attendance: Honorary members shall not be required to meet attendance requirements. Honorary members shall not be computed when determining a quorum.

Section 6. SPECIAL MEMBERSHIP – “EMERITUS”

A. Definition: Loyal Democrats with a history of distinguished service, to the DEC, but who may be unable to participate in DEC meetings and/or activities on a regular basis, shall be eligible for “Emeritus” status. The “Emeritus” member shall have no voting privileges. The Steering Committee shall recommend the “Emeritus” status of a member to the DEC membership. The “Emeritus” status must be approved by two-thirds (2/3) of the members of the DEC present and voting.

B. Criteria for selecting “Emeritus” members shall be established by the DEC Bylaws.

C. Attendance: Emeritus members shall not be required to meet attendance requirements. Emeritus members shall not be computed when determining a quorum.

Section 7. ASSOCIATE MEMBERS

A. Definition: Associate members are those registered Democrats residing in Lee County who wish to make a contribution to the party but have fewer responsibilities than elected or appointed members. Prospective Associates must attend at least one DEC meeting, be introduced, and must have expressed their intent by filing an application for Associate Status with the Membership Committee at least 14 days prior to the DEC meeting at which their application is to be acted upon. Prospective Associates must be appointed by the Chair. Associates do not have to take a loyalty oath, do not have attendance requirements, and cannot vote, but may participate in debate at DEC meetings.

B. The term of an Associate member is from time of appointment until commencement of the DEC Organizational Meeting.

Section 8. QUALIFICATIONS

Every person seeking any membership provided for in this Constitution or in the Bylaws adopted hereunder shall be an actively enrolled Democrat in Lee County and must meet the tests of membership in accordance with Article I., Section 6. of the Charter and Article V. and Article VI., as amended, of the Bylaws of the Florida Democratic Party.

ARTICLE IV: DEC OFFICERS

Section 1. OFFICERS:

The DEC shall elect the following officers: DEC Chair and a Vice Chair of the opposite sex, an Executive Secretary, a Recording Secretary, a Treasurer and Deputy Treasurer, a State Committeeman and a State Committeewoman.

Section 2. TERMS OF OFFICE:

A. Officers shall serve a term of two years from the regularly scheduled "Organizational" meeting at which they are elected and may succeed themselves if re-elected. The State Committeeman and State Committeewoman shall serve a term of four years.

B. Except as indicated below, no person may concurrently serve in more than one DEC officer position except temporarily because of a vacancy on resignation or removal of an officer and pending replacement by appointment for election. The DEC Chair may appoint temporary replacement officers, subject to subsequent confirmation or elections by the full DEC at the next regular or special meeting.

Section 3. REMOVAL FROM OFFICE:

A. A DEC officer or member may be removed from their position in accordance with Florida State Statute 103.141, as amended, and FDP Constitution and Bylaws.

B. The State Committeeman or State Committeewoman may be removed from his or her position in accordance with Florida State Statute 103.151, as amended, and FDP Constitution and Bylaws.

ARTICLE V: STEERING COMMITTEE

Section 1. CREATION AND AUTHORITY:

A. There shall be a Steering Committee that shall be the operating and managing committee of the DEC.

B. The Steering Committee may receive, review and act upon all committee reports (except the Audit Committee), resolutions and expenditures (both budgeted and non-budgeted).

C. The Steering Committee shall administer, supervise, and control the policies and affairs of the DEC. It shall have the authority to make decisions between meetings of the DEC that are consistent with the FDP Charter and Bylaws of, the DEC Constitution and Bylaws, and policies set forth by the DEC.

Section 2. MEMBERSHIP:

The members of the Steering Committee shall include:

- A. Elected officers
- B. Chairs of each Standing Committee
- C. President of each Democratic club chartered under the Bylaws of the DEC
- D. Immediate past Chair of the Democratic Party of Lee County if that person remains a member of the DEC
- E. Presidents of Lee County chapters of caucuses chartered by the FDP.

Section 3. MEETINGS:

The Steering Committee shall meet at least quarterly at the call of the Chair. A special meeting of the Steering Committee shall be called upon reasonable notice and upon request to the Executive Secretary by two or more of the Steering Committee members.

Section 4. QUORUM:

A quorum for the Steering Committee shall be twenty percent (20%) of its membership, four of whom shall be elected officers.

Section 5. EMERGENCY BUSINESS:

In the event of emergency business of the DEC, the majority of the elected officers of the DEC, on behalf of the Steering Committee, shall have authority to act for the full DEC until such time as a regular meeting of the full DEC can be held. Minutes shall be kept of any emergency action taken and reported to the next regular meeting of the DEC. If such action exceeded the scope of the authority granted under the Bylaws, ratification shall be requested.

ARTICLE VI: COMMITTEES

Section 1. STANDING COMMITTEES:

The DEC shall be served by the Standing Committees as established in the Bylaws.

Section 2. SPECIAL OR AD HOC COMMITTEES AND CAUCUSES:

A. The DEC shall be served by such Special Committees and Ad Hoc Committees or Caucuses as may be established in Standing Rules or by the DEC Chair.

B. The charges, duties, and responsibilities of each Standing Committee shall be set forth in the DEC Bylaws. Charges, duties, and responsibilities of Special Committees, Ad Hoc Committees, or Caucuses, shall be

established by the DEC Chair by and with the approval of the Steering Committee and will be incorporated into Standing Rules of the DEC.

C. The DEC Chair shall appoint the Chair for all Standing Committees, Special or Ad-Hoc Committees, or Caucuses. They are to perform such functions as may be set forth in the Constitution, bylaws, Standing Rules or as designated by the DEC Chair as to which Chairs will serve at the pleasure of the DEC Chair. The DEC Chair or the Chair's designee shall serve as ex-officio members of all Standing, Special or Ad Hoc Committees or Caucuses.

ARTICLE VII: MEETINGS

Section 1. ORGANIZATIONAL MEETING

A. SCHEDULING: The DEC Membership shall within fifteen (15) days after December 1st following their election as Precinct Committeemen and Precinct Committeewomen and as authorized by the Florida Statutes, at the call of the DEC Chair or Vice Chair in the absence of the DEC Chair, meet at the DEC office or by video telephony. They shall organize by electing from among the members, a DEC Chair and Vice Chair of the opposite sex, an Executive Secretary, a Recording Secretary, a Treasurer, a State Committeeman and a State Committeewoman. Nominations for all officers shall be from the floor. All the officers shall be elected by a majority vote of the members and proxies present.

B. VOTING FOR OFFICERS: The voting for officers shall be in accordance with FDP Rules. Each candidate shall be asked to name one teller for the counting of votes. The tellers shall count the votes in the presence of the full committee. The voting shall proceed until one candidate shall have received a majority of the votes cast. In the event no person receives a majority on the first ballot, the candidate receiving the fewest number of votes shall be eliminated and the balloting shall proceed. On each subsequent ballot, the candidate with the least votes shall be eliminated until one candidate receives a majority of votes.

C. ORDER OF BUSINESS: The Organizational Meeting shall be called to order by the previous DEC Chair who shall assume the Chair. The order of business shall be as follows:

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Credentials Report and eligibility of current elected members
5. Previous DEC Chair calls for nominations for temporary chair to conduct election of the new DEC Chair.
6. Election of DEC Chair
7. Election of State Committeewoman
8. Election of State Committeeman
9. Election of Vice Chair
10. Election of Executive Secretary
11. Election of Recording Secretary
12. Election of Treasurer
13. Immediately following the election of officers, the Organizational Meeting shall stand adjourned.

D. At the conclusion of the Organizational Meeting the DEC Chair may convene a meeting to conduct any other business.

Section 2. REGULAR BUSINESS MEETING

The DEC Chair shall call at least one meeting of the full DEC each quarter starting in January of each year and as many additional meetings as may be set forth in the Bylaws or at the call of the Chair. Members of the Committee shall be given at least ten (10) days written notice prior to the date of the called meeting and outline the purpose of said meeting. In the event the Chair of the Committee fails or refuses to call a meeting of this Committee, thus upon request of several members of this Committee, and upon written, signed petition of one-third (1/3) of the entire membership of the Committee, and attesting by the secretary of this Committee, and duly presented to the Vice Chair of this Committee, the Vice Chair shall call a meeting of the Committee and shall give members of the Committee at least ten (10) days written notice thereof outlining the purpose of the meeting.

Section 3. PARTICIPATION

All meetings at all levels of the Democratic Party shall be open to the members of the Democratic Party regardless of race, color, creed, religion, sex or gender, age, language, national or ethnic origin, sexual orientation, sexual identity, handicap, disability, physical ability, or other characteristic irrelevant to ability.

Section 4. QUORUM

A number equal to twenty-five (25) percent of the members of the DEC shall constitute a quorum for the transaction of business, provided the entire membership has received written notice of said meeting ten (10) days prior to said meeting. For the purposes of determining a quorum, membership shall be limited to only elected and appointed or at-large members.

ARTICLE VIII: CLUBS, ORGANIZATIONS AND CAUCUSES

In accordance with the Charter or Bylaws of the Florida Democratic Party:

Section 1.

Clubs, Organizations and Caucuses using the name Democrat, etc. Charters of clubs, organizations, and/or caucuses using the name Democrat, Democratic, or a derivative thereof, other than those chartered by the Democratic National Committee, shall be approved by the FDP Central Committee which shall retain continuing jurisdiction. Clubs shall be directly accountable to the DEC in the county of charter, Lee. Local Caucus chapters shall be directly accountable to the State Caucus under which they were chartered. Violation of the Charter or Bylaws of the FDP or Party policy by a club, organization, or caucus shall be grounds for revocation of its charter. The State Chair, with the approval of the FDP Central Committee, shall set procedures and guidelines for granting charters to clubs, organizations, and caucuses desiring to use the name Democrat, Democratic, or any derivative thereof. Membership therein is limited to Democrats registered to vote in Florida.

Section 2. PROXY VOTING

Proxy voting shall be prohibited for Democratic clubs, organizations, and caucuses.

Section 3. QUORUM

Twenty percent (20%) of the total membership for clubs and caucuses with membership of 999 or less. Ten percent (10%) of the total membership for clubs and caucuses with membership of 1000 or more.

Section 4. COMMITTEE ON CLUBS, ORGANIZATIONS, AND CAUCUSES

Duties: The duties of the FDP Committee on Clubs, Organizations, and Caucuses shall be to review and grant or deny charter applications from clubs, organizations, and caucuses, and to prescribe procedure for same, unless

otherwise provided in the FDP Charter and procedure for same, unless otherwise provided in the FDP Charter and Bylaws, as amended.

Appeals: The FDP Committee on Clubs, Organizations, and Caucuses shall hear all appeals regarding clubs, organizations, or caucuses. Said appeal shall be heard only if the FDP Chair and the FDP Chair of the Committee on Clubs, Organizations, and Caucuses agree that such an appeal is in order. All decisions by this committee shall be final.

Section 5. CHARTERING, ORGANIZATION, RE-CERTIFICATION, ETC.

The chartering of clubs, organizations and caucuses shall be as set forth in Article VI, Charter and Article VI, FDP Bylaws.

Section 6. CLUBS AND CAUCUSES

All clubs chartered within Lee County are encouraged to coordinate all fundraising activities with the DEC Finance and Fundraising Committee to seek to avoid scheduling conflicts.

ARTICLE IX: COUNTY CONVENTION

A Democratic County Convention may be called by the Democratic Party of Lee County DEC. The Convention shall be open to all Democrats in Lee County.

ARTICLE X: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the DEC in all cases to which they are applicable and in which they are not inconsistent with this Constitution, Bylaws, Standing Rules, or Special Rules of Order the DEC may adopt.

ARTICLE XI: AMENDMENTS

This Constitution may be amended by a two-thirds (2/3) vote of the DEC membership present, provided that the Executive Secretary gives the full membership at least ten (10) days written notice of the proposed changes. For the purposes of amending the Constitution, membership shall be limited to only elected and appointed at-large members.

ARTICLE XII: EFFECTIVE DATE

Upon adoption, this amended Constitution shall become part of the permanent records of the DEC and shall be made available to the membership for all meetings of the DEC by direction to the leecountydems.org website, and shall be effective as of the Meeting to be held on the 24th day of August, 2020.

ARTICLE XIII: SEVERABILITY

If any Article, Section, or Subsection of this amended Constitution is found to be invalid for any reason, such finding or ruling shall not invalidate or put in jeopardy either the complete Constitution or any other Article, Section or Subsection of this amended Constitution.

ARTICLE XIV: ADOPTION OF AMENDED CONSTITUTION

After proper notice being provided and with a quorum present, the above Amended Constitution was approved by the required percentage of the membership of the Democratic Executive Committee (DEC) on the 24th day of August, 2020.