

CONSTITUTION
of the
DEMOCRATIC 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, deter 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 for the Democratic Party of Berks County, Pennsylvania.

Article I

Name and Government

Section 1. Name

This organization shall be known as the Democratic Party Committee of Berks County, Pennsylvania, hereinafter sometimes called the "County Committee."

Section 2. Government

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

Article II

Membership and Removal

Section 1. Membership

The membership of the County Committee shall consist of men and women who are legally qualified registered Democratic voters, elected as committee persons by the voters of their 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. All members must be and shall have been a registered Democrat for at least two (2) years prior to running for County Committee, unless twenty-one (21) years or younger or newly registered and shall not be nor be registered in another political party nor shall have supported a candidate in a general or special election, opposed to the duly nominated candidate of the Democratic Party in that election for at least two (2) years prior to their election or appointment to the County Committee.

Section 2. Removal of Members or Officers

A. In the event that a member or officer of the County Committee supports a candidate, other than a registered Democrat, unless the candidate is cross filed, by voice, vote, financial support or otherwise, that individual may be removed from membership in the County Committee following the procedures set forth below.

1. Supports a candidate, other than a registered Democrat, unless the candidate is cross-filed, by voice, vote, financial support or otherwise, or
2. Fails to perform the overall responsibilities and duties of a member of the County Committee as outlined in the Precinct Committeeperson Job Description as set forth in "The Pennsylvania Democratic Party Precinct Committeeperson Handbook & Resource Guide", as adopted March 2006, as they may be amended from time to time by the County Committee.
3. Fails to attend County Committee meetings for three (3) consecutive meetings and/or designate a proxy for three (3) consecutive meetings.

B. Procedure for Removal

1. At least three (3) members must file a complaint with the County Chair or the Vice-Chair in the case of a complaint against the Chair. The complaint filed shall set forth the name, address and precinct of the complainant, the name of the member cited, specifying the alleged improper conduct and shall contain the signatures of at least three (3) members of the County Committee, with a verification which shall state it is subject to the penalties of 18 Pa. C.S.A 4904 relating to unsworn falsification to authorities.

2. The County Chair or Vice Chair shall promptly forward said complaint to the Judiciary Committee and shall inform the Executive Committee that a complaint was received at the next scheduled Executive Committee meeting.

3. The Judiciary Committee shall determine, within thirty (30) days of the filing or receiving of the complaint, if there are sufficient grounds to warrant further proceedings. If the Judiciary Committee determines that no further proceedings will occur it shall promptly notify, in writing, the complainants and the member(s) cited of such action.

4. If the Judiciary Committee decides further proceedings are required as set forth above, the Judiciary Committee shall schedule a hearing within fourteen (14) days and provide at least fifteen (15) days written notice of the hearing to the complainants and the cited party.

5. After the hearing the Judiciary Committee shall deliberate and within thirty (30) days after the hearing, file a report and recommendation with the Executive Committee. The Executive Committee shall review the report and recommendation at their next monthly meeting. The Executive Committee shall notify the membership of the County Committee that the report will be considered at the next County Committee meeting.

- a. The membership will, by majority vote for a committee person, either approve or deny the recommendation of the Judiciary

Committee.

b. The membership will, by two-thirds (2/3) majority for an officer for dereliction of duties, either approve or deny the recommendation of the Judiciary Committee.

c. If the membership, by a 2/3 vote, approves the Judiciary Committee's report to recommend the removal of an officer of his or her membership and right to hold office, that decision shall be effective immediately. Reinstatement shall occur only at the time of a reversal pursuant to No. 6 below.

6. The decision of the membership may be appealed to the State Committee of the Democratic Party in the Commonwealth of Pennsylvania.

Article III

Meetings

Section 1. Reorganization Meetings

The elected members of the County Committee shall meet on the third Saturday after the Primary Election in which they have been chosen. The first order of business at said meeting shall be the election of officers and four (4) additional Executive Committee members as provided by this Constitution. The incumbent County Chair shall preside at this meeting until his/her successor has been elected and installed. Any other business of the County Committee may be transacted at this meeting.

Section 2. Regular Meetings

Regular meetings of the County Committee shall be held in the months of January (Presidential election year) or February (all other years), the month before the Primary Election, June, August, October and December unless the County Committee designates another month.

The County Committee shall have the right to close all or a portion of any meeting to anyone who is not a member of the Committee.

Section 3. Special Meetings

Special meetings may be called at any time by the Chair of the County Committee. The Chair shall be required to call a special meeting within twenty-one (21) days of receipt of a written and signed request of at least twenty-five (25) members of the County Committee. Only such matters designated in the purpose of the call shall be taken up at that special meeting.

The County Committee shall have the right to close all or a portion of any meeting to anyone who is not a member of the Committee.

Section 4. Quorum

One-fifth (1/5) of the members shall constitute a quorum for the transaction of

business at a regular or special meeting.

Section 5. Conduct of Business

All meetings shall be conducted in accordance with Robert's Rules of Order, as most recently amended.

Section 6. Elected Official Participation

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

Article IV

Organization

Section 1. Organization

The officers of the County Committee shall consist of a County Chairperson and Treasurer, who may or may not be members of the County Committee, a Vice-Chairperson, a Financial Secretary, and a Secretary, who must be members of the County Committee. All officers must have been a registered Democrat for at least two (2) years, immediately prior to such election.

Section 2. Nomination

Nominations for officers shall be designated and in the order provided by Section 1 of Article IV of this Constitution. Any member so nominated may decline or withdraw his/her name before ballot is taken.

Section 3. Election of Officers

A. Any individual who has been elected County Committeeperson or State Committee member at the Primary election immediately preceding the reorganization meeting shall be qualified to vote for the election of officers in this organization.

B. Elections of officers shall be by ballot, by qualified elected members of various districts or precincts. Ballots will be collected by region and tallied by the incumbent Regional Coordinators. If the incumbent Regional Coordinator(s) is not present a substitute will be appointed by the County Chairperson. The Regional Coordinators will submit the tally and the ballots to the Election Board organized under Section 4 below. If there are more than two (2) 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 is no opposition for any office, the candidate may be elected by acclamation. Upon completion of the elections and provided there are not election challenges raised, ballots may be destroyed.

Section 4. Election Board

The election board shall consist of three (3) members appointed by the Chair.

The incumbent Regional Coordinators shall be responsible for the certification of each member of the region who is eligible to participate in the election of officers. The result of each ballot shall be computed and the vote announced by the election board.

Section 5. Vacancies of Officers

Vacancies which occur during the term of an officer shall be filled at the next regular or special meeting of the County Committee, provided notice of said election is given in the notice of said meeting.

Section 6. Vacancies of Committeepersons

A. The vacancy of any elected or appointed committeeperson shall be filled by the County Committee for the unexpired term.

B. During the period of time intervening between the primary election, at which the 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 7. Committeepersons at Large

Eighty (80) committeepersons at large, consisting of forty (40) men and forty (40) women, may be elected by a majority vote of the County Committee at any meeting. Twenty (20) of the committeepersons at large, ten (10) men and ten (10) women, will represent the wards of the City of Reading. Sixty (60) of the committeepersons at large, thirty (30) men and thirty (30) women, will represent the boroughs and townships of Berks County. Committeepersons at large shall be proposed by a committeeperson in the proposed committeepersons at large area to the Executive Committee for its recommendation to the County Committee. No district or precinct can have more than two (2) committeepersons at large. Committeepersons at large shall have the same rights and privileges as other members of the organization. Their term of office will expire at the time of the Primary Election of new Committee persons.

Section 8. Proxies

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 Democratic elector of the region, as defined herein, in which he or she resides. A proxy form provided by the County Committee for meetings or a self created form containing the committeepersons name, the ward and precinct, the name of the person who will serve as a proxy, and the date of the meeting at which the proxy will serve will be the methods recognized for proxy attendance. No committeeperson shall appoint a proxy for more than three (3) consecutive meetings. No individual may have more than one (1) vote.

Section 9. Powers and Duties

The powers and duties of the officers and committees elected or appointed shall be as defined by this Constitution.

Section 10. Regional Organization

A. Regions shall be established and approved by the County Committee. The Regions shall be periodically reviewed by the County Committee and are subject to realignment as approved by the County Committee.

B. The Regions shall:

1. Be composed of Committee people and all other interested Democrats from each region.

2. The officers of each region, which must include one Coordinator, shall be elected by the Committee persons thereof for a four year term to take place within a reasonable time after the regular Committee election.

3. The first meeting of each Region after the reorganization meeting shall be called by the County Chair during the first three (3) months after said meeting. Subsequent meetings may be called by the Regional Coordinator.

4. The duties of the Regions shall be:

a. To educate the members and general public of the programs and goals of the Democratic Party.

b. To assist Democratic candidates in the General Election.

c. To register Voters.

Section 11. District Organizations and Clubs

Local district organizations and clubs shall be encouraged and assisted by the County Committee in conformity with this Constitution.

Section 12. Safe Deposit Box

For entry to a safe deposit box, at least two (2) of the elected officers shall be present.

Article V

Duties of Officers

Section 1. The County Chair shall

A. Preside at and set the agenda for all regular and special meetings of the County Committee and the meetings of the Executive Committee.

B. Be an ex-officio member, without voting power, on all other committees.

C. Cooperate with the National, State and Local Democratic Committees on all questions of process, policy and legal compliance with the rules and regulations

of the Democratic Party.

D. Appoint the members of the standing committees pursuant to Article VI Section D of this Constitution and announce appointments to such other committees as he/she or the County Committee deem appropriate.

E. Appoint a Sergeant at Arms to preserve order and limit the attendance at County Committee meetings to members of the County Committee and Berks County delegates to the State Committee, as well as those individuals who receive the County Chair or County Committee's prior approval.

F. Appoint a Finance Committee to undertake the activities as set forth in Article VI Section 7.

G. Supervise the performance of the employee(s) or independent contractor(s) retained by the direction and approval of the Executive Committee.

H. Shall be the chief spokesperson for the County Party and responsible for adjudicating all matters not addressed within this Constitution, subject to review or approval, as may be necessary by the County Committee.

Section 2. The Vice-Chairperson shall

A. Shall perform the duties as are assigned or directed by the Chair, County Committee, or Executive Committee.

B. In the absence, death, resignation, removal by impeachment or disability of the County Chair, the Vice-Chairperson shall preside and perform all the duties of the County Chair, as set forth in this Constitution until a successor is elected as set forth in Article IV Section 5 of this Constitution.

Section 3. The Treasurer shall

A. Be the custodian of all the funds of the County Committee.

B. Promptly deposit all moneys received in a banking institution approved by the Executive Committee.

C. Keep a correct and accurate account of all receipts, deposits and expenditures open and accessible at all times to the County Chair, the Finance Committee, the Auditing Committee or to a committee designated by the County Committee

D. Make disbursements by check upon the bank account of the County Committee upon approval of the County Committee or the Executive Committee. Checks on the County Committee's bank accounts in excess of three thousand dollars (\$3,000) shall be signed by any two (2) of the following officers: Chair, Vice-Chair, Secretary, Financial Secretary or Treasurer.

E. Prepare all accurate reports of receipts and disbursements as required by law and the FDIC.

F. Make a Finance report at every regular meeting of the County Committee and Executive Committee and shall submit an annual report of all receipts and

expenditures to the County Committee.

G. Deliver all moneys, checks, papers and any other County Committee materials entrusted to them during their term of office to the County Chair at the end of their service in office.

H. Furnish a bond with corporate surety, at the expense of the County Committee, in such amounts as may be designated by the Executive Committee.

Section 4. The Secretary shall

A. Keep correct and accurate minutes of the proceedings of all meetings of the County Committee and Executive Committee.

B. Keep a record of the names of all the members of the County Committee and of the personnel of each committee, in conjunction with the Membership Committee.

C. Receive all written communications, reports for committees and officers and keep files of the same.

D. Conduct correspondence, as directed by the Executive Committee or the County Committee.

E. Be the custodian of this Constitution.

F. Deliver all secretarial books, papers, documents and other property of the County Committee entrusted to them during their term of office to the County Chair at the end of their service in office.

Section 5. The Financial Secretary shall

A. In conjunction with the Treasurer, prepare the financial reports for the Executive Committee and County Committee meetings.

B. Prepare and/or review of all required tax filings.

C. Prepare annual budgets for presentation at Executive Committee and County Committee meetings.

D. Prepare cash flow analyses and other financial reports as directed by the County Chair and/or the Executive Committee.

E. Prepare for the conduct of the annual audit of the financial records of the County Committee.

Article VI

Committees

Section 1. The County Committee shall have the following standing committees:

A. Audit Committee

- B. Campaign Committee
- C. Education Committee
- D. Executive Committee
- E. Finance Committee
- F. Judiciary Committee
- G. Membership Committee
- H. Outreach Committee
- I. Public Relations Committee
- J. Regional Organization
- K. Technology Committee

Section 2. Committee Governance

- A. Except for the Regional Coordinators, the County Chair shall appoint the chairs of the standing committees within thirty (30) days of assuming office. The chairs of the Standing Committees will serve for a term of two (2) years unless provided elsewhere within this Constitution. After appointing the Chairs of the Standing Committees, the County Chair shall, in the next written meeting notice, list each Standing Committee and the person appointed as Chair.
- B. The Chairs of the Judiciary and Audit Committees must be approved by the Executive Board at the first meeting following the appointment.
- C. All Standing Committees shall contain no less than three (3) members appointed by the County Chair.
- D. The Chairs of all Standing Committees in conjunction with the County Chair shall appoint additional Committee members to assist in achieving the mission of the said Committee.
- E. Except as otherwise directed the membership of each of the standing committees shall be for a term of two (2) years, or the next reorganization meeting, whichever occurs first.
- F. The County Chair shall also appoint other committees as needed from time to time.
- G. The Chair of each committee shall call meetings of that committee as the occasion requires. Reports of all committee meetings shall be made when deemed necessary by the County Chair, the County Committee or the Committee Chair. The County Chair may request a written report.

Section 3. The Audit Committee shall

- A. Annually audit the books and accounts of the Treasurer and any other

committee as directed by the County Committee or the Executive Committee.

B. Audit the same at such other times as may be required.

C. Submit a written report of any audit to the County Committee as a whole for approval and to the Finance Committee for their use in preparing the budget and the maintenance of financial records.

D. Perform such other duties as may be required by this Constitution.

E. The Treasurer and Financial Secretary shall not be members of the Audit Committee.

Section 4. The Campaign Committee shall

A. Not endorse in a contested democratic primary and should treat all duly nominated democratic candidates equally.

B. Assist in efforts to recruit candidates for vacant democratic positions on the ballot upon request.

C. Upon request meet with candidates or their appropriate campaign personnel in a timely manner to discuss with them the role of the County Committee in their election.

D. Upon request provide candidates with an official list of County Committee members for their respective elective district.

E. Conduct and coordinate occasional candidate/volunteer training sessions.

F. Assist candidates with the development of candidate messaging, including but not limited to joint-literature pieces, billboards, TV ads, etc.

G. Coordinate the County Committee's effort in both the primary and general elections, including poll watching, and greeting, and GOTV efforts.

H. Assist in joint-candidate canvasses, phone banks and/or other events to assist in their election.

I. Attempt to obtain the candidates voter ID's or other campaign related data for future use by the County Committee.

J. Attempt to obtain the candidates campaign volunteer lists after a campaign has concluded.

Section 5. Education Committee shall

A. Arrange for speakers to explain the goals, principles and objectives of the Democratic Party, to the County Committee, Democratic Organizations and the general public.

B. Schedule open meetings or events where issues of importance to the public

and Democratic Party are addressed and discussed.

C. Obtain and make literature available and arrange for mass distribution of printed materials.

D. Assist in the formation and establishment of new clubs and party organizations.

E. Educate the public, members of the party and media, through letters to the editor and other media sources of important current issues, legislation and other matters of importance to the general public and the Democratic Party.

F. Assist other committees with educational components as requested.

Section 6. Executive Committee shall

A. Be composed of the elected officers and four (4) Committeepersons elected at the reorganization meeting. Vacancies on the Executive Committee shall be filled by the County Committee.

B. Have the authority to act between meetings of the County Committee in the event of an emergency or unforeseen occurrence when there is insufficient time to resolve a problem by calling a special meeting of the County Committee.

C. Take whatever actions are necessary to further the goals of the Democratic Party.

D. Recommend appointments for vacancies on the County Committee and for at large delegates.

E. May, at its discretion, retain the services and define the duties of employees or independent contractors to assist with the operation of the County Democratic Party.

F. Each Executive Committee Member shall serve on at least one standing committee.

G. The County Chair, with the advice and approval of the Executive Committee, shall call all meetings of the Executive Committee. Said committee shall meet at least monthly. See Article V, Section 1.

H. The approved minutes of the Executive Board meetings shall be made available to the membership of the County Committee upon request.

Section 7. Finance Committee shall

A. At a minimum, be composed of the Treasurer and Financial Secretary and other members per Article VI, Section 2 of this Constitution.

B. Establish an annual budget for approval by the County Committee at the first meeting of the calendar year.

C. Prepare and monitor the annual financial projection of revenue and expenses.

D. Advise the Executive Board of potential budget issues and make recommendations for consideration.

E. Assist the Fundraising Committee in developing goal specific budgets for the purpose of targeted fundraising efforts.

Section 8. Judiciary Committee shall

A. Review and recommend additions, modifications and amendments to the rules and regulations which govern this County Committee, district organizations and clubs to comply with State Committee Rules and this Constitution.

B. Adjudicate complaints pursuant to Article II, Section 2 and conduct a hearing, take evidence, make findings of fact and a recommendation to the parties to the complaint, the Executive Board and the full membership of the County Committee.

Section 9. Membership Committee shall

A. Recruit members to fill vacancies within the County Committee, in coordination with Regional Coordinators and appropriate County Committee members.

B. Maintain and update a database of members and pertinent member information, with assistance from the Technology Committee as needed.

C. Provide orientation and introduce new members to the County Committee and the applicable Regional Coordinator.

E. Monitor membership attendance at meetings and contact delinquent and lapsed members.

F. Counsel inactive members to become more involved or consider resigning.

G. Remind members of expiring terms and provide information regarding re-election.

H. Determine and implement ways to increase member satisfaction.

Section 10. Outreach Committee shall

A. Establish and foster good will initiatives within the Berks County community.

B. Establish relationships with the schools and colleges within Berks County.

C. Develop coalitions with other clubs and organizations.

Section 11. Public Relations Committee shall

A. Advise on promotional materials, media relations, and marketing of County Committee events.

B. Promote specific programs, issues, events and other outreach efforts by the County Committee.

- C. Draft and submit press releases as authorized by the Chair.
- D. Advise and provide material for the County Committee's website(s), blogs, e-mails or other medium deemed appropriate.
- F. Create and distribute a regularly published newsletter.
- G. Be responsible for increasing the visibility of the County Committee in the community at large.

Section 13. Technology Committee shall

- A. Provide and maintain the infrastructure for the County Committee's internet presence.
- B. Research and implement new technologies for the advancement of the County Committee.
- C. Provide training and assistance to authorized individuals for systems being maintained by the technology committee.
- D. Assist with the development and maintenance of a County Committee volunteer database.

Section 14. Regional Organization shall

- A. be composed primarily of the precincts within each State House legislative district or combination of precincts if a region consists of more than one legislative district, as may be modified from time to time by the County Committee.
- B. The precincts that comprise the City of Reading shall be their own Region.

Article VII

Elected Official Vacancies

Section 1. Vacancies to be filled by County Committee

- A. Vacancies which may occur on the ballot between the Primary and General Election due to death, resignation, removal or disqualification for cause of any person running for public office or nomination for special election, which the County Committee is authorized to fill, shall be filled by the County Committee or the Executive Committee as hereinafter provided.
- B. The County Committee shall receive a recommendation of the Committee

Person(s) from the election district involved.

C. There shall be nominations, discussion and a vote for the office. The individual shall be elected by majority vote.

D. In the event the County Committee is unable to hold a regular or special meeting to consider the filling of such vacancies, the Executive Committee shall fill said vacancy by majority vote.

Article VIII

Amendments to the Constitution

Section 1. Procedure to Amend the Constitution

A. This Constitution may be amended in accordance with the procedures hereinafter set forth.

B. All proposed amendments shall either be read or a printed copy thereof shall be distributed to each person present at any regular or special meeting of the County Committee. No action shall be taken thereon for a period of at least thirty (30) days.

C. Consideration of proposed amendments may be at either a regular or special meeting of the County Committee.

D. At least fourteen (14) days prior to the regular or special meeting, at which the proposed amendment (s) is (are) to be considered, a copy of the proposed amendment (s) together with the notice of the regular or special meeting, shall be mailed to each member of the County Committee, who has not previously received a printed copy.

E. A proposed amendment may be amended at the meeting at which it is considered, provided that such amendment is germane to the amendment as originally proposed.

F. A majority vote of the members in attendance is required to adopt any amendment to this Constitution.

G. All amendments shall become effective immediately upon adoption, unless otherwise provided therein.

H. All officers elected or appointed under the previous Constitution/By-Laws, shall complete their term of office, until the next reorganization meeting.

Article IX

Rules for Cooperation and Conformance

Section 1. Rules for Cooperation and Conformance

A. This Constitution and those of all other Berks County Democratic

Organizations affiliated with the Democratic Party and the County Committee shall at all times conform to the rules of the Democratic State and National Committees.

B. This Constitution, as hereby adopted or hereafter amended, shall constitute the fundamental law for the governing of the Democratic Party in Berks County. Any provision in the Constitution or By-laws of a District, Local or Club Organization, contrary to or in violation of the same is hereby declared null and void.

C. All Berks County Organizations and Clubs which are affiliated with the Democratic Party and County Committee shall submit their Constitution or by-laws, and any amendments thereto, for approval to the Judiciary Committee of the County Committee.

Members of the Constitution Committee

Gloria Seifrit, Chair	Darlington Hoopes, Jr., Esq.
Daniel Sauder	Barry Groebel
Linda Kelleher	Tom Herman
Allyn Swavely	

This Constitution was revised and adopted
on the ___ of _____, 2010.