

To: Executive Committee Members  
From: Bylaws Committee  
Re: Recommended Procedures for the Election of 2020 Officers and Members-At-Large, Part II  
Date: November 6, 2019

The Executive Committee will be meeting on Wednesday, November 13. An important item on the agenda will be a presentation by the Bylaws Committee recommending the procedures to be used through the process that concludes the end of January at the annual meeting with the election of club officers and members-at-large.

This memo was written to prepare you for discussion of these procedures. It is based on the many and complex club bylaws that apply to the election and recommendations by the Bylaws Committee about how to administer those bylaws. If you have served on the Executive Committee for some years, much of this information may be familiar to you. Some of it is probably not, especially those bylaws provisions that are activated only if there is competition for one or more of the officer positions or if more than 16 candidates run for at-large executive committee member.

The October 10 Executive Committee meeting dealt with these matters up to the Nominating Committee election (October 23 club meeting) and its report (the slate of nominees that will be presented in late December), and included the general topic of membership in “good standing” and a calendar covering that part of the process. Club members may now download this description of the first part of election procedures from the club website.

This memo covers the one-month period of January 2020, after the Nominating Committee presents its candidates, up through the date of the annual meeting, when seven officers and 16 at-large members of the Executive Committee will be elected for 2020. Following the November 13 Executive Committee meeting, the Bylaws Committee recommends that a form of this memo be added on the club’s website as a second part of club election procedures available to the membership.

### **CALENDAR**

This proposed timeline assumes that the annual meeting will be January 29, 2019. The Bylaws Committee recommends that the January 2020 election calendar, below, and any updates be emailed to club members, accompany other mailings regarding the club election, and be posted on the club’s website.

January 1 Last day for new Club members to become members in good standing in time to vote at the Annual Election.<sup>1</sup>

---

<sup>1</sup> November 30, 2019 was the last day for a resident of the 81<sup>st</sup> assembly district to become a member in good standing in time to be eligible to hold any club office. January 29, 2019 was the last day for a person residing in Bronx county outside the 81<sup>st</sup> assembly district.

- January 15 Before this date, the President, with the approval of the Executive Committee, appoints a three-person Elections Committee.
- Club meeting at which nominations from the floor or by petition for any position may be made. This is the last meeting at which nominations for officers may be made from the floor.
- The Elections Committee shall report to the Club membership at this meeting.
- Last day to send a petition nominating a member for any position to the Corresponding Secretary for inclusion in the printed ballot.
- Last day for nominees to submit (via email or hardcopy) brief biographies and statements to the Corresponding Secretary.
- January 16-27 Additional nomination petitions may be sent to the Corresponding Secretary
- January 22 Last day for club members to be notified about any additional nominee(s)
- The compilation of biographies and statements are provided to the membership and posted on the club website
- January 24 By this date the Corresponding Secretary has entered the names of members nominated by petition on the preliminary printed ballot
- January 29 Date of the Annual Meeting, at which additional nominations from the floor for Executive Committee members-at-large can be made and the election is held
- Club members may vote if they renew their membership and pay their dues before this date or at the Annual Meeting.

### **ADDITIONAL NOMINATIONS (Art. VII, Sec. 3)**

- **At the club meeting two weeks before the Annual Meeting (January 15)**  
Nominations and seconds from 10 members for any office may be made from the floor, or petitions with 10 signatures presented.
- **By petition before the Annual Meeting:**  
*At least two weeks before the Annual Meeting:* A petition for any office signed by at least 10 members in good standing may be presented to the Corresponding Secretary for verification. The Corresponding Secretary shall (1) notify the membership of any additional nominee not later than one week before the

Annual Meeting and (2) add the names of additional candidates to the ballot in last name alphabetical order.

*Less than two weeks before the Annual Meeting:* The name of any candidate nominated on a petition presented to the Corresponding Secretary less than two weeks before the Annual Meeting, will be hand-written by members on their ballots at the Annual Meeting (in last-name alphabetical order.)

- **At the Annual Meeting**

*Officers:* Additional nominations may not be made for any officer position.

*Member-at-Large:* Additional nominations with ten seconds may be made from the floor, and will be hand-written by members on their ballots.

#### **PETITION SIGNATURES AND SECONDS (Art. VII, Sec. 4)**

- Petitions should be simple and no petition with the necessary information will be disqualified for failure to comply with a specific form. <sup>2</sup>
- Each member may sign only one petition, or make or second one nomination from the floor for the same position of officer (except for vice president.).
- Members may sign petitions and second the nomination from the floor for up to three vice president candidates and 16 member-at-large candidates.
- Members of the Nominating Committee may not sign any petition or make or second any nomination from the floor.

#### **NOMINEE PRESENTATIONS (Art. VII, Sec. 5)**

- *Before the Annual Meeting:*  
A compilation of brief biographies and statements by each nominee will be emailed to members of the club, and the compilation will be posted on the club website a week or more before the Annual Meeting. Copies of the compilation also will be available at the Annual Meeting.

Candidates or their designees should provide their information to the Corresponding Secretary no later than two weeks before the Annual Meeting, if they are nominated by then. Nominees whose biography and statement are not included in the compilation may have their material available for distribution at the Annual Meeting.

The President may set word limits on biographies and statements.

- *At the Annual Meeting:*  
Each nominee will have an opportunity to speak at the annual meeting. Nominees will be informed about this opportunity at least one week before the

---

<sup>2</sup>The Executive Committee could provide a sample heading for petitions: "I am a member in good standing of the Benjamin Franklin Reform Democratic Club and support the nomination of \_\_\_\_\_ for the position of \_\_\_\_\_ in the 2020 club election." If an officer position, add "I have not nominated or seconded, nor will nominate or second, any other candidate for the same position of officer." The signatures and printed names of club members in good standing would follow the heading.

Annual Meeting, and the Annual Meeting agenda will inform the membership, including those who are nominees, about this opportunity.

The President will set equal time limits for oral presentations based on how many nominees want to speak, and whether the position is for officer or member-at-large. Each presentation will not be for more than five minutes if the position is contested, and not more than three minutes if the position is not contested. Nominees for uncontested positions will be asked to waive their presentations.

The President shall invite questions from the floor and nominees will have opportunities to answer them. The President will advise members to make their questions short, with the time not deducted from the time for presentations.

**ELECTIONS COMMITTEE (Art. VII, Sec. 6):**

- The President, with the approval of the Executive Committee, will appoint a three-person Elections Committee, responsible for tallying the ballots of every office up for election. The Election Committee as a whole should not be aligned or appear to be aligned with any candidate for any position. The Election Committee will report to the membership at the January 15 meeting.

**VOTING ELIGIBILITY (Art. VII, Sec. 7):**

- New Club members must be members in good standing by January 1, 2020. Club members who renew their membership and pay their dues before or at the Annual Meeting are eligible to vote. Club members will be informed that the Annual Meeting is the deadline for payment of dues.

**CONDUCT OF THE ELECTION (Art. VII, Sec. 8):**

- Nominees will appear on the applicable ballot for each position in last-name alphabetical order. An identifying designation, such as NC, will appear on the ballot after the names of nominees of the Nominating Committee; another designation, such as AN, will identify any additional nominees of three or more committee members.
- Voting shall be by secret written ballot cast in person. Proxy or absentee ballots are not permitted.
- Voting for officers and members-at-large are on two separate ballots.
- Voting for officers will be as follows:

The officer ballot will be an omnibus ballot prepared in advance of the Annual Meeting with positions and nominees in the following order: President, Vice Presidents, Recording Secretary, Corresponding Secretary, and Treasurer. We recommend that ballot include the following statements:

*“You may vote after the meeting is called to order and any additional nominees by petition are added to the ballot. However, runoff officer elections may be necessary because majorities are required for election. **Therefore, we advise you to remain throughout the meeting to enable you to cast any additional ballot or ballots that may be necessary.**”*

***“Vice Presidents:*** *You may vote for up to three vice president nominees. Assign your first choice a 3, second choice a 2, and third choice a 1. If you vote for less than three, two for example, assign your first choice a 2 and your second choice a 1. If necessary, the Elections committee will adjust the values to be no greater than the number of nominees you voted for.”*<sup>3</sup>

The ballot for officers will be distributed to all members of the club in good standing who are present at the Annual Meeting. Members will be instructed to add the names of all persons nominated by valid petition within two weeks of the Annual Meeting. This creates the final ballot.

Members may cast their votes after the meeting is called to order and any additional nominees by petition are added and continuing until the final call for ballots, shortly after all nominee presentations for officer positions have concluded.

*Officers other than Vice President:* Each voter shall cast one vote for each position. The nominee receiving a majority of the votes will be elected. If no nominee for a position receives a majority on the first ballot, the nominee with the fewest votes is dropped from the ballot and another vote taken. This process is repeated until a nominee receives a majority.

*Vice Presidents:* Each voter casts a vote for no more than three nominees by “weighted choices” – a member’s first choice to receive three votes, second choice to receive two votes, and third choice to receiving one vote. The nominee receiving the highest total vote shall be elected as First Vice President, the second highest as Second Vice President, and third highest as Third Vice President. No weighted vote will be assigned a value higher than the total votes cast by that member. That is, if a member casts weighted votes for three vice president nominees, those votes will be assigned values of 3, 2, and 1; if for only two nominees, 2 and 1; if for only 1 of the three or more nominees, the vote will be assigned a value of 1. Ties will be decided by runoff ballots.

When all officers have been elected, the Election Committee shall report the election results to the President, who will announce the names of the newly elected officers to the members present. The results will be emailed to members and posted on the club’s website.

- Voting for members-at-large will be as follows:  
A separate preliminary ballot listing all of the nominees for member-at-large, in last name alphabetical order, will be prepared in advance of the Annual Meeting. This list will also include the names of any nominee for an officer position who has not indicated an unwillingness to serve as an at-large member if defeated in the officer election. An identifying designation, such as OC, will appear on the ballot after the name of any

such candidate.

The preliminary ballot for member-at-large will be distributed to all members of the club in good standing present at the Annual Meeting.

Members may cast votes between the start of the meeting and continuing until the final call for ballots shortly after all nominee presentations for member-at-large have concluded.

Members will be asked to add the names of all persons (1) nominated by valid petitions and (2) nominated from the floor at the Annual Meeting. Members shall also be told to delete the names of all nominees who were elected to officer positions. No ballot will be invalidated if a voter fails to strike or add nominee names.

Members may vote for up to sixteen nominees for member-at-large. A ballot marked for fewer than sixteen nominees will not be invalidated.

The sixteen nominees (other than those, if any, who were elected officers) receiving the highest number of votes will be elected. In the case of a tie, there will be a run-off.

We recommend that the ballot include the following statement:

*“This ballot may not list the final nominees for at-large executive committee positions because (1) additional nominations may be made from the floor after this meeting begins and (2) successful nominees for officer positions will be deleted from the list of members-at-large candidates. Additionally, runoff elections may be necessary to resolve ties. **We advise you to remain throughout the meeting to enable you to consider an accurate list of nominees and to cast any additional ballot or ballots that may be necessary.**”*

*“**You may vote for up to 16 nominees. A ballot for fewer than 16 will not be invalidated.**”*

<sup>3</sup> Those Bylaws Committee members who disagree with this procedure believe that its effect is that members who vote for fewer than three nominees for Vice President forfeit their first and possibly second choice votes. They also strongly object to this procedure because they believe it violates the relevant language in the most recent edition of the Bylaws (2010 at Article VII, Section 8(a)), which grants the right to cast weighted votes to all members and in no way diminishes the weight of the votes of members who choose fewer than three vice-presidential candidates. They further assert that the Bylaws Committee co-chairs rely instead on a never codified (and previously unmentioned) 1995 resolution to overrule the plain language of the current bylaws even though it was not incorporated on any of the several occasions when the bylaws have been amended in the intervening 24 years. The resolution, they maintain, cannot work as a de facto amendment, which

reduces the rights granted to members in the bylaws, on the spur of the moment and without following the procedures required to amend the bylaws. (Article VII).

By contrast, the Bylaws Committee co-chairs, who are joined by some other members of the committee, believe that the procedure does not violate the right to cast weighted votes but only adjusts the value of the weighted votes of those who, in effect, bullet vote by choosing fewer than three vice- presidential candidates. They note that the club membership that adopted the following resolution on November 15, 1995, did not think that as a type of the balloting method of weighted choices that it had to be added to the bylaws.

*Resolved, that in calculating the value of a member's votes for Vice President under the weighted vote balloting method, no weighted vote shall be assigned a value higher than the total votes cast by that member. That is, if a member casts weighted votes for all three Vice President nominees, those votes may be assigned values of 3, 2, and 1; if for only two of the three nominees, 2, 1, and 0; if for only one of the three nominees, 1, 0 and 0.*

Whether a bylaw or not, they claim, the resolution is a clear and explicit statement of procedure, voted by the club membership in an open meeting, recorded in the minutes, and subsequently explained at the annual meetings that elected vice presidents for the last 24 years. They further note that explicit descriptions of it also appear in minutes of recent annual meetings. This type of weighted choice voting (known as the Modified Borda Count) was adopted, they explain, as a mechanism to provide the right to vote for those members who, for whatever reason, did not want to cast three ranked vice- presidential ballots. That was so because, they point out, the bylaws then and now provide in the very sentence before the one that refers to weighted choices that "Every member eligible to vote shall vote for three nominees for Vice President." The resolution was an accommodation that enabled those members to vote. Finally, they maintain, if those who oppose the 24-year application of the resolution wish to endorse the plain language of the current bylaws in *this* respect –that is, that all members are *required* to vote for three candidates – using the 1995 resolution would be unnecessary.