

RULES AND BY-LAWS
of the
ELECTION COMMISSIONERS' ASSOCIATION
OF THE STATE OF NEW YORK
Amended 6/25/2007

PREAMBLE

The Election Commissioners' Association of the State of New York is hereby dedicated to the following precepts:

THE PRESERVATION OF THE INTEGRITY OF THE BALLOT; THE EASIEST POSSIBLE ACCESS TO THE BALLOT BY THE VOTERS; PROGRAMS TO PROMOTE GREATER VOTER PARTICIPATION; PROMOTION AND ENACTMENT OF LAWS FOR THE MORE EFFECTIVE CONDUCT AND ADMINISTRATION OF ELECTIONS WITHIN THE STATE OF NEW YORK; THE ENACTMENT OF LAWS THAT GUARANTEE THE VOTING PUBLIC, FAIR, OPEN AND HONEST ELECTIONS.

ARTICLE I - ORGANIZATION

Section 1.

This Association shall be known as the ELECTION COMMISSIONERS' ASSOCIATION OF THE STATE OF NEW YORK.

Section 2.

Any reference to Association in the following shall mean the ELECTION COMMISSIONERS' ASSOCIATION OF THE STATE OF NEW YORK.

Section 3.

The philosophy, principle, and policy on which this Association is founded commands the presence and participation of ALL association members regardless of geographical location and/or population of said Member County.

Article II - MEMBERSHIP

Section 1.

Membership in the Association shall consist of Election Commissioners and the Executive Director and Deputy Executive Director of Board of Elections in the City of New York, employees of Boards of Elections and Honorary Members. Membership in the Association will run from January 1st to December 31st of each year.

Section 2.

Commissioners of Boards of Elections and Executive Director and Deputy Executive Director of the Board of Elections in the City of New York shall be eligible for membership in the Association on payment of an annual membership fee, to be set by the Executive Committee and announced at the Summer Conference for the following calendar year.

Section 3.

All other employees of Boards of Elections shall be eligible for membership in the Association on payment of an annual membership fee to be set by the Executive Committee and announced at the Summer Conference for the following calendar year.

Section 4.

Dues to the Association are payable by March 1st of every year. If a Commissioner of Elections or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York has not paid his/her dues, they shall not be permitted to vote at any meeting of the Association. Their name shall be listed on the official roster with an asterisk (*) next to it. There shall be a notation of explanation on the roster that indicates (* not a current member of the Association). Dues paid in January shall cover voting through the winter conference of the following year.

Section 5.

Any person being a former member of the Association may be elected an Honorary Member and Election Commissioners who were members shall automatically upon retirement become Honorary Members with no dues required.

Section 6.

Membership in this Association does not disqualify you from retaining membership in or joining any other Election Related Association, nor the holding of an office in said Association.

ARTICLE III - MEETINGS

Section 1.

The Association shall meet at least twice in each year at a Seminar and School of Instruction (hereinafter referred to as “Conference”, “Conferences”, “Winter Conference” and/or “Summer Conference”) at the call of the President.

Section 2.

The President or the Secretary upon the written request of at least ten Election Commissioners including the Executive Director and Deputy Executive Director of the Board of Elections in the City of New York must call a special meeting of the Association.

Section 3.

All notices will be sent by e-mail unless specifically requested to be sent by mail.

Section 4. Forty members shall constitute a quorum for the transaction of business.

Section 5.

All classes of membership shall be entitled to participate in the deliberations of the Association, but only Election Commissioners and Executive Director and Deputy Executive Director of the Board of Elections in the City of New York who are current members of the Association shall be entitled to vote. There shall be two (2) votes per county, one vote per party, with the City of New York as a whole having two additional votes, one per party.

Section 6.

Whenever any Election Commissioner who is a current member of the Association, is absent from any meeting of the Association his/her deputy, if a member of the Association shall have the same rights and privileges as the Commissioner would have if present. For a Commissioner of Elections within the City of New York, and/or any other County who does not have a deputy and who is absent from any meeting of the Association, said Commissioner may designate in writing a Board of Elections in the City of New York/County Board employee, who, is a member of the Association, shall exercise the rights and privileges of said Commissioner, if he/she were present.

Section 7.

A resolution to expend Association funds in excess of \$1,000.00 shall be presented for approval by the Executive Committee.

Section 8.

Any Association member in good standing may present a resolution, in writing, to the Secretary a minimum of 45 days before a meeting of the Association. The Secretary will then forward such resolution to all members in good standing for their review (see Article IV, Section 6.)

ARTICLE IV - ELECTED OFFICERS AND COMMITTEES

Section 1.

Officers of this Association shall be elected for a one-year term at the Annual Summer Seminar and School of instructions shall consist of the following: President, First Vice President, Second Vice President and Third Vice President. The President and Vice Presidents shall be voting members of the Executive Committee. The Secretary/Treasurer of the Association shall be a Commissioner, Deputy Commissioner, or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York for a four (4) year term. In 2000, the Secretary/Treasurer will be recommended by the Republican Caucus. Thereafter, at the Annual Summer Seminar in each presidential year, the party naming the Secretary/Treasurer shall alternate.

Section 2.

The President shall preside at all meetings of the Association, except Committee meetings and shall be an ex-officio member of all Committees. The President must be an Election Commissioner or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York who is a member of the Association.

The President shall:

1. Present the Executive Committee and the Legislative Committee to the Association at the inaugural ceremony at the Summer Conference.
2. Contract all expenses per approval from the Executive Committee.
3. Correspond with committees, commissioners (set up e-mail). Respond to correspondence and/or make ECA correspondences to the press etc.
4. Attend all Executive Committee meetings to vote on Association business.
5. Work with the Program Chair to print agendas, set up rooms and assist with program topics and guests.
6. Appoint members to the following committees and select chairs: Web Pages, Program Committee, Historian, Voting Machine, Bylaws and Regional Chairs and any other "Special Committees" that may need to be formed.
7. Act as a Liaison with the State Board of Elections.
8. Assist with the education and exchange of information with Federal, State and Local Officials.
9. Contribute an article for the ECA Reporter for each publication.
10. Be available to assist the Association Officers if requested.

Section 3.

The First Vice President shall, in the absence of the President, perform the duties of the office of President. The First Vice President must be an Election Commissioner or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York who is a member of the Association.

The 1st Vice President shall:

1. Continue securing location and activities for the 2 (two) Conferences that will take place in the following calendar year and keep the Executive Committee updated.
2. Attend all Executive Committee meetings.
3. Serve as the “Information Exchange” Chairman.
4. Head one of the programs for each conference.
5. Contribute an article for the ECA Reporter for each publication.
6. Secure “parting gift” plaque for the outgoing President.
7. Be available to assist the Association Officers if requested.

Section 4.

The Second Vice President shall, in the absence of the President and First Vice President, perform the duties of the office of President. The Second Vice President must be an Election Commissioner or Executive Director or Deputy Executive Director of the Board of Elections in the City of New York who is a member of the Association.

The 2nd Vice President shall:

1. Bring suggestions of Conference location for the Summer Conference for two years from the assumption of this office and following Winter Conference to the Executive Committee and begin securing dates and amenities information once approval has come from the Executive Committee.
2. Attend all Executive Committee Meetings.
3. Head one of the programs for each of the conferences
4. Contribute an article to the ECA Reporter.
5. Be available to assist the Association Officers if requested.

Section 5.

The Third Vice President shall, in the absence of the President, the First Vice President and the Second Vice President, perform the duties of the office of President. The Third Vice-President must be held by an Election Commissioner or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York who is a member of the Association.

The 3rd Vice President shall:

1. Work with the 2nd Vice President and other officers to gain a better understanding of how the ECA operates.
2. Head one of the programs for each of the conferences.
3. Contribute an article to the ECA Reporter.
4. Be available to assist the Association Officers is requested.

Section 5A

Should any of the Vice Presidents not fulfill their duties, upon the recommendation of the Executive Committee, the Caucus Chairman of the party of that Vice President shall assume those responsibilities until the caucus chooses a replacement.

Section 6.

The Secretary/Treasurer shall keep the minutes of the proceedings of the Association and shall also act as Secretary of the Executive Committee. The Secretary/Treasurer shall have care and custody of the funds of the Association, collect fees and pay all obligations of the Association under the direction of the President. The Secretary/Treasurer shall be a Commissioner, Deputy Commissioner, Executive Director or Deputy Executive Director of the Board of Elections in the City of New York. The Secretary/Treasurer shall be paid for service rendered in an amount fixed by the members of the Executive Committee.

With the Winter Conference package, the Secretary/Treasurer shall distribute an "Offices To Be Filled" listing for the Summer conference. Such listing will be developed by the Executive Committee, stating office to be filled and whose replacement and the term of office.

The Secretary/Treasurer shall receive any requests for resolutions to expend Association funds in excess of \$1,000.00 from any Association member in good standing. Said request for a resolution shall be forwarded to the Executive Committee for a decision.

Section 7.

The Executive Committee and Legislative Committee shall be elected for one year at the annual Summer Conference. Those elected shall be familiar with the responsibilities and duties of the Office of Executive and Legislative Committees. Said nominations shall come from the respective caucuses. Beginning with the Summer Seminar of 2000 the Chairperson of the Executive Committee shall be a Democrat and the Chairperson the Legislative Committee shall be a Republican. Thereafter, in each presidential year, the Party naming the respective chairpersons shall alternate.

Section 7A

The Executive Committee shall consist of twelve members of the Association elected for a term of one year. Six members of the Executive Committee shall be Republicans and six members shall be Democrats, chosen by the respective party caucuses. The political party caucus entitled to name the Chairperson for that year shall elect the Chairperson of the Executive Committee. A Vice-Chairperson shall be selected from within the Executive Committee, who shall be from the same political party as the Chairperson. The Vice Chairperson shall in the absence of the Chairperson, perform the duties of the office of Chairperson.

Executive Committee members must be Election Commissioners or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York.

The Executive Committee shall govern the affairs of the Association between seminars and shall meet at the call of the Chairperson. No one person shall be a member of this committee for more than four (4) consecutive years nor Chairman or Vice Chairman for more than two (2) consecutive years. Members are encouraged to give every Association Member, representing every county in the State, an opportunity to serve this organization. The Executive Committee meetings shall be held at any meeting of the Association, as well as the NYS Board of Election conference and/or at locations within the State sensitive to all Executive Committee members.

Section 7B

The Legislative Committee shall meet at the call of the Chair and shall consist of twelve members of the Association elected for a term of one year. The Legislative Committee shall coordinate with the Association's President and Executive Committee to advocate on behalf of the Associations approved legislative proposals. The Legislative Committee shall consist of six Republicans and six Democrats, chosen by the respective party caucuses. The Chairperson of the Legislative Committee shall be elected by the political party caucus entitled to name the Chairperson for that year. There shall be a Vice-Chairperson elected from within the membership of the Legislative Committee, who shall be from the same political party as the Chairperson. The Vice-Chairperson shall, in the absence of the Chairperson, perform the duties of the office of Chairperson. Legislative Committee members must be Election Commissioners or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York. No one person shall be a member of this committee for more than four (4) consecutive years nor serve as Chairman for more than two (2) years. Members are encouraged to give every Association Member, representing every county in the State, an opportunity to serve this organization.

It shall be the responsibility of the President to meet with the Legislative Committee to ensure that the Legislative Packet is ready for submission to the members for the Winter Conference. Said Legislative Packet to be delivered to the Secretary/Treasurer for distribution no later than 30 days before the Winter Conference. (To be included in the mailing for the Winter Conference.)

Section 7C

The Audit Committee shall consist of two members, who shall be Commissioners of Elections or the Executive Director or Deputy Executive Director of the Board of Elections in the City of New York who are members of the Association. One member shall be elected by each of the political party caucuses for a term of two years, commencing at the Summer 2007 Conference, who shall hold no other office or position within the Association. The audit committee shall review and certify the accuracy and correctness of the Treasurer's accounts after the Summer Conference but no later than September 1 of each year beginning in 2007. The Audit Committee will shall transmit a copy of their review and certification to the Officers and the Executive Committee no later than October 31 of each year.

Section 8.

The Presidency of the Association shall rotate between the two major political parties every year and the selection of candidates for elected officers and committees shall be left entirely to the majority of respective political parties in caucus.

Section 9.

In the event of a vacancy in any office due to death, resignation, or the office holder is no longer qualified to hold such office, the members of the same party of the Executive Committee will appoint a qualified person (of the same party as the person who vacated such office) as soon as possible. At the next meeting of the Association the party to which the person who vacated the office was a member shall caucus and recommend a person to fill such vacancy, for the remainder of the term, to the full membership of the Association.

Section 10.

The 1st, 2nd & 3rd Vice Presidents are encouraged to work as a team to establish the best possible pricing for the Winter Conference to be held within a reasonable distance to the Capital District. Proposals are to be reviewed and discussed with the Executive Committee.

It shall be the responsibility of the 1st Vice President to receive conference proposals from any and all Counties, no later than the Winter Conference prior to the 1st Vice President becoming President. Said package proposals would be used as a tool for the selection of the Summer Conference the year the 1st Vice President is President. Said recommendations shall be reviewed by the Executive Committee.

Section 11.

Each year, the newly elected President shall appoint a bi-partisan Program Committee. This committee serves for both the Winter and Summer Conferences for the following year. The President is encouraged to submit said programs to the Executive Committee for their review and comment. The incoming President and Executive Committee are also encouraged to include:

- Questions & Answers by the State Board of Elections;
- Reports from the Chairpersons of the NYS Senate and Assembly Law Committees and/or their staffs;
- Guest Speakers;
- Schedule meetings of counties that are of comparable size in order to discuss Mutual problems and how various boards have been dealing with them, etc.

At each Winter Conference, the 1st Vice President shall distribute program questionnaires to all Commissioners, requesting their comments for programs for the following year. All members are encouraged to submit program suggestions that include but are not limited to the following: programs already in place and working in a County, problem areas, what might be anticipated as problem areas, etc.

Section 12.

Invitations for all conferences and school of instructions, under the signature of the President, shall be issued to the following individuals:

The NYS Election Commissioners, the NYS Board of Elections, the Governor, and appropriate members of his or her staff, , the Chairpersons of the NYS Senate and Assembly Election Law Committees and appropriate members of their staffs, the Majority Leader of the Senate and the Speaker of the Assembly, and appropriate members of their respective staffs, the State Chairs of all major political parties, host County's Elected Officials, NYS League of Women Voter's (both local and state), vendors and guest speakers.

ARTICLE V - APPOINTMENT OF COMMITTEES BY PRESIDENT

Section 1.

The President shall appoint the Nominating Committee, the Resolutions & By-Laws Committee and such other committees as he or she shall see fit to appoint. Appointments by the President of members on these Committees shall be on a bipartisan basis with equal representation of Republican and Democratic members of the Association.

ARTICLE VI - ORDER OF BUSINESS

Section 1.

At each Conference the following shall be the order of business:

- Roll Call by Counties
- Report of the President
- Report of Secretary/Treasurer
- Report of Chairman of the Executive Committee
- Report of Chairman of the Legislative Committee
- Report by the Site Selection Committee
- Other Business
- Election of Officers, Executive & Legislative Committee (Summer Conference unless needed to fill vacancies)

ARTICLE VII - AMENDMENTS TO RULES AND BY-LAWS

Section 1.

Amendments may be made by majority vote of the members of the Association present at a meeting at which there is a quorum, provided a copy of the proposed amendment is sent by e-mailed (unless specifically requested to be sent by mail) not less than 30 days before the date of the meeting of which such amendment is considered.

Section 2.

Emergency amendments may be made at a regularly called meeting without prior notice of said amendment, only if a quorum is present and the vote on such emergency amendment is unanimous.

Section 3.

These Rules and By-Laws and any further amendments to it, shall become effective immediately upon their adoption.

Section 4.

A Resolution regarding Life Membership shall be submitted by a bipartisan committee to be presented at a conference for a vote by the entire membership for approval. This member will have non-voting status and be exempt from paying membership dues.

Section 5.

An auxiliary membership of non-voting active members who are not Board of Elections; employees are required to make payment of an amount to be established by the Executive Committee as a registration fee per year.