

PROPOSED BYLAW AMENDMENT, Submitted by Michele Manos  
For consideration at January 27, 2018 State Committee Meeting

Text currently in existing bylaw Article IV appears like this.

~~Text to be stricken appears like this.~~

*Text to be added to existing article appears like this.*

Text to be added in new Article XIV appears like this.

## **ARTICLE IV. EXECUTIVE COMMITTEE**

### **Section 3. EXECUTIVE COMMITTEE DUTIES.**

The Executive Committee's duties shall be to (1) approve the Annual Budget and any amendments to it; (2) approve specific contracts extending beyond the State Chair's term; (3) act as the final board of arbitrators for State Committeepersons seeking reinstatement after a deemed resignation or removal; (4) *adopt and maintain an Ethics and Conflict of Interest Policy applying to all State Committeepersons and ADP employees;* and ~~(4)~~ (5) perform such duties as assigned by the State Chair.

## **ARTICLE XIV. ETHICS AND CONFLICT OF INTEREST**

### **Section 1. ETHICAL CONDUCT.**

Arizona Democratic Party State Committeepersons, Officers, and ADP employees shall follow policies regarding ethical practices and conflict of interest. They shall at all times conduct themselves in a manner that reflects credibility for the office or position they serve. They shall not use their office or position to gain special privileges or benefits, and shall refrain from action in their official capacities when their judgement could potentially be affected by personal interests.

### **Section 2. ETHICS AND CONFLICT OF INTEREST POLICY.**

An Ethics and Conflict of Interest Policy, based on community standards, shall be adopted and maintained by the ADP Executive Committee. The policy shall be reviewed at each State Committee Organizational Meeting. The policy shall be amended, if necessary, and readopted at the first Executive Committee meeting following each biennial State Committee Organizational Meeting. The initial adoption of an Ethics and Conflict of interest Policy shall occur within sixty (60) days of the adoption of this bylaw provision and the Policy shall be made available to all State Committeepersons.

### **Section 3. ETHICS AND CONFLICT OF INTEREST PANEL.**

An Ethics and Conflict of Interest Panel (the Panel) will be established as an independent body to review financial expenditures, contracting and hiring processes, and other internal practices and procedures of the Arizona Democratic Party and its State Committee to assess compliance with the organizational Ethics and Conflict of Interest Policy.

- A. *Membership*** The Panel shall be comprised of five (5) members who are State Committeepersons in good standing. At no time shall more than one member reside in a single county. Ineligible for

membership are: (1) State Committee Officers and other members of the State Executive Committee; (2) ADP employees; (3) County Party Officers; (4) Legislative District Chairs. The Panel will have an egalitarian structure with one (1) member serving as Corresponding Secretary.

- B. *Election*** An election shall occur at the State Committee Meeting following the adoption of this bylaw. Thereafter, the five (5) Panel members shall be elected at each State Committee Organizational Meeting, after all other State Committee elected positions have been filled.
- C. *Vacancies*** A position is vacant when a Panel member: (1) dies; (2) resigns; (3) obtains a position making them ineligible for membership; (4) is no longer a State Committeeperson in good standing; (5) relocates to a County that is already represented on the Panel. A vacancy shall be filled by election at the next State Committee meeting following the position becoming vacant.
- D. *Responsibilities***
- 1. Routine Reviews** To assess compliance with ethics and conflicts policy, twice per calendar year (every five to seven [5 to 7] months) the Panel will conduct a review of all ADP expenditures, current and pending contracts, bidding documentation, and hiring or termination of permanent and temporary staff. The Panel may pursue cost-effectiveness assessments such as comparisons of fees, salaries, or other costs of other political party organizations.
  - 2. Inquiries** Any State Committeeperson may direct an ADP-related ethics or conflict of interest question or concern to the Panel. The Panel will handle outside inquiries by any of: (1) refusal to pursue, based on content irrelevant to ethics or conflicts; (2) direct response to resolve the inquiry; (3) consulting with ADP Officers and/or staff to prepare a response; (4) initiating its own examination of information to prepare a response. Regardless, the Panel will provide a response to the inquirer within sixty (60) days of receiving an inquiry.
  - 3. Resolution of Concerns** The Panel will work with State Committee Officers and/or ADP staff to resolve any real or potentially perceived ethics or conflict of interest violations that are identified.
  - 4. Reports** The Panel will provide a written report and brief presentation at each State Committee Meeting to summarizing its recent activities.
  - 5. Meetings** The Panel will meet at least twice yearly, or as needed to conduct and discuss reviews, respond to inquiries, and prepare reports. They may convene remotely, or in person.
- E. *Confidentiality***. The Panel will not disclose information about ongoing inquiries, except to State Committee Officers or ADP staff. Panel members will never disclose information to the public or the press. The Panel shall maintain strict confidentiality in specific cases, as directed by ADP legal counsel.

**Purpose:** To include in the bylaws an ethics and conflict of interest provision that will apply to all State Committeepersons (including officers), and ADP employees. It requires the Executive Committee to adopt and maintain a written policy regarding ethics and conflict of interest. It establishes an independent, elected panel of State Committeepersons to monitor compliance with policy. The Panel also will serve as a liaison between the State Committeepersons and Officers when concerns about ethics and conflicts arise.