

California Democratic Party
January 16, 2021 Special Executive Board Meeting
Saturday General Session
10am-12pm

Agenda

- 1.** 10:03am - Welcome - Rusty Hicks
- 2.** 10:09am - Bylaws Amendments:
 - a. Amend Article VI (ADEMs) to add a new section 2 – Exhibit A
 - b. Add Article III-A (Election of Party Officers) – Exhibit B
- 3.** 11:00am - Convention Rules – Amendment to add date of Convention – Exhibit C
- 4.** 11:30am - Convention Tentative Agenda – Executive Board to adopt – Exhibit D
- 5.** 12:00pm - Adjournment

EXHIBIT A

Amend ADEM Article VI, Section 2:

Add a new section 2 to Article VI:

Section 2:

- a. Notwithstanding any other provision of this Article, for the ADEM election for 2021, there shall be no in-person voting in light of the COVID-19 pandemic. Voting shall be through vote-by-mail.

- b. This section 2 will expire on its own operation on July 1, 2021

EXHIBIT B

TO: Rules Committee, California Democratic Party
FR: Garry S. Shay; Co-Lead Co-Chair; Rules Committee, California Democratic Party
DA: October 28, 2020
RE: Proposed Bylaws Amendment to Facilitate Election of Officers in 2021

ARTICLE III-A: ELECTION OF OFFICERS 2021

Section 1. ***Governing Rules:***

Irrespective of any other provision of these bylaws which may be in conflict with the below, the following sections shall govern the Election of Statewide Officers and Regional Directors for the 2021 election.

Section 2. ***Dates for Determination of Membership:***

The dates for determination of membership for the 2021 Convention shall remain as specified in Article II, Sections 3 and 4; Article VI, Section 1, a, (2), and Article VI, Section 1, a; or as may be modified by any decision of the Compliance Review Commission in a particular case.

Section 3. ***Deletion of Article III-A:***

This instant Article III-A, shall, without the necessity of further action, be automatically deleted from these bylaws as of **11:59 p.m. on Wednesday, June 30, 2021.**

Section 4. ***Methods of Communication and Holding of Convention:***

a. Transmission, and completion of filing, of documents, including ballots and voting, shall be via e-mail, facsimile, or United States Postal Service, at the discretion of the Chair of This Committee with regard to documents sent by This Committee, and by the individual member with regard to documents sent to This Committee.

b. This Committee shall, for the 2021 Convention, meet virtually, via Zoom or other suitable method, as determined by the Chair of This Committee.

Section 5. ***Determination and Certification of Roster of Members:***

a. The **preliminary** roster of members of This Committee, **as of the dates for determination of membership for the 2021 Convention as set forth in Section 2 above**, shall be as certified as of **Monday, February 15, 2021**, by a majority of the Chairs of the Standing Committee on Credentials.

b. Any candidate for membership on This Committee, who's name has been timely submitted, and denied such certification shall be notified by the Secretary of This Committee **within 24 hours** of said denial.

c. Any challenge to this certification decision may only be filed by the

affected candidate for membership, and must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable, **no later than seven (7) calendar days after the alleged violation occurred, but in no event later than 5:00 p.m. on Friday, February 19, 2021.**

- d. The Compliance Review Commission shall decide all challenges **affecting the credentials of members regarding the determination of the roster of members for the 2021 Convention**, based upon the written challenge of the candidate for membership, and the testimony, written or oral, of a Chair (or Chairs) of Standing Committee on Credentials, no later than **10:00 p.m. on Monday, February 22, 2021. In the event the Credentials Chair(s) support the challenge, the challenged candidate for membership shall be offered an opportunity to present oral testimony.** A failure of Compliance Review Commission to render a decision by that time shall be considered as a decision to sustain the roster of members as certified by the Credentials Chairs. All decisions of the Compliance Review Commission as pertains to the Determination and Certification of Roster of Members shall be final.
- e. **The Final Certified Roster of Members, eligible to participate in the 2021 Convention of This Committee, individually or by proxy, shall be those members of the Democratic State Central Committee determined to be eligible as of Tuesday, February 23, 2021.**

Section 6. *Notice of Intent-to-Run Declaration / Nominations:*

- a. The filing of a Notice of Intent-to-Run Declaration shall be required to be filed by a member of This Committee, in order to be a candidate for any Statewide or Regional Director Office, and shall be considered as a nomination for that particular office.
- b. The time period for filing of Notice of Intent-to-Run Declarations shall open at **10:00 a.m. on Monday, January 4, 2021.**
- c. To qualify to run for office, a member of This Committee's Notice of Intent-to-Run Declaration must have been received by the Secretary of the Party no later than **5:00 p.m. on Monday, March 15, 2021.**
- d. In the event that the incumbent officeholder for a particular office fails to file the notice of intent to run by that date, then the filing deadline shall be extended to **5:00 p.m. on Friday, March 19, 2021,** for that office.
- e. No withdrawals of candidates shall be allowed after the filing of Notice of Intent-to-Run Declarations have closed for that particular office, unless all candidates have withdrawn.

- f. Following the close of filing of Notice of Intent-to-Run Declarations, no additional candidates shall be permitted.
- g. In the event no member has filed a Notice of Intent-to-Run Declaration, or for which all persons who have filed a Notice of Intent-to-Run Declaration have withdrawn, a vacancy shall be declared to exist in that office which shall be filled as provided in Article III, Section 5.

Section 7. *Availability of Roster of Members of This Committee:*

- a. All candidates who have filed a Notice of Intent-to-Run Declaration for a State Office of This Committee will be provided access to a final, certified roster of Members of This Committee in the specific jurisdiction for which they are a candidate on **Monday, February 15, 2021** or upon filing, whichever is later. If filing before **Monday, February 15, 2021**, the candidate will be provided with a preliminary roster of Members of This Committee in the specific **jurisdiction** for which they are a candidate.

Section 8. *No Proxy Voting:*

- a. There shall be no Proxy voting.

Section 9: *Prerequisites to Voting and Having One's Vote Counted:*

In order to vote, and have one's vote counted, a member must have timely:

- a. paid their dues and fees to This Committee, or had them waived,
- b. registered for the meeting, if registration was required,
- c. obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting,
- d. completed and returned to the proper authority any ballot that may be issued,
- e. agreed in writing to abide by the Code of Conduct, **and,**
- f. **signed any written ballot, if written ballots are used.**

Section 10. *Ballots, Ballot Counting, and Declaration of Unanimous Election:*

- a. In the event only one person has been nominated for any office and such person accepts the nomination, the Secretary of This Committee shall be directed to cast a unanimous ballot for such candidate as of **5:01 p.m. on Friday, March 19, 2021**, for that office.
- b. Ballots, with the names of persons in contested races, shall be sent to members of This Committee no later than **Wednesday, March 24, 2021.**

- b. In order to be considered, a ballot must be received by the Secretary of This Committee no later than **Wednesday, 5:00 p.m., April 21, 2021**, and the member must have complied with Article IV, Section 7, b.
- c. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.
- d. The Secretary shall certify the election no later than **Wednesday, April 28, 2021**. In the event the Secretary is a candidate for re-election, certification of the Secretary's election shall be made by those Co-Chairs of the Standing Committee on Credentials who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee; and, if either is not, or both are not, then by any remaining such "Lead Co-Chair" and those Co-Chairs of the Standing Committee on Rules who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee.

Section 11. ***Failure to Achieve a Majority Vote; Run-Off Elections; Ballots; and Ballot Counting:***

- a. In the event no candidate receives a majority vote on the 1st ballot, a runoff election (2nd ballot) shall be held between the two persons receiving the largest number of votes actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved.
- b. Ballots, with the names of persons in contested run-off races, shall be sent to members of This Committee no later than **Monday, May 3, 2021**.
- c. In order to be considered, a ballot in contested run-off races must be received by the Secretary of This Committee no later than **Monday, at 5:00 p.m., on May 31, 2021**, and the member must have complied with Article IV, Section 7, b.
- c. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.
- d. The Secretary shall certify the election no later than **Monday, June 7, 2021**. In the event the Secretary is a candidate for re-election, certification of the Secretary's election shall be made by those Co-Chairs of the Standing Committee on Credentials who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee; and, if either is not, or both are not, then by any remaining such "Lead Co-Chair" and those Co-Chairs of the Standing Committee on Rules who had been designated as "Lead Co-Chair(s)" by the Chair of This Committee in 2019, if still a member of This Committee.

Section 12: Challenges Arising Under Sections 10 and 11 herein:

- a. Any challenge arising under Sections 10 and 11 herein, shall be processed in accordance with Article XII of these bylaws and the Procedural Rules of the Compliance Review Commission Promulgated and Adopted by the CDP Rules Committee Pursuant to CDP Bylaws Article V, Section 5, b). Provided, however, that any such decision of the Compliance Review Commission shall be final.**

EXHIBIT C

Rules for the 2021 California Democratic Party Convention to be held April 26 – May 2, 2021

1. The primary purpose of this biennial Convention is to organize the newly-elected constituted Democratic State Central Committee (This Committee) and elect Statewide Officers and Regional Directors. Matters not heard at the Convention will be received by the Secretary and held over to the next meeting of the Executive Board.
2. The Chair of This Committee shall be the Chair of the Convention and the Secretary of This Committee shall be Secretary of the Convention. In the absence of the Chair of This Committee, the Vice-Chair of This Committee of a self-identified gender other than that of the Chair, shall serve as the Presiding Officer and Chair of the Convention. In the event more than one Vice-Chair should fit that description, they shall act as Co-Chairs.
3. Delegates to the Convention shall be those members of the Democratic State Central Committee, or their qualified proxies, as specified in the Bylaws of This Committee, and are on, or had a right to be on, the Final Certified Roster of Members as of **February 23, 2021**.
4. This Convention will be held in accordance with Article III-A of the Bylaws of This Committee and the Policy Statement by the Rules Committee of the California Democratic Party on the Open Meeting Rule Adopted in Committee – July 14, 2018.
5. Certification of a delegate's Credentials shall be in accordance with Article III-A of the Bylaws of This Committee.
6. No one will be granted access to the "floor" who is not a delegate, or proxy holder, except by special authorization of the State Chair.
7. In order to vote, and have one's vote counted, a member must have timely:
 - a. paid their dues and fees to This Committee, or had them waived,
 - b. registered for the meeting, if registration was required,
 - c. obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting,
 - d. completed and returned to the proper authority any ballot that may be issued,
 - e. agreed in writing to abide by the Code of Conduct, and,
 - f. signed any written ballot, if written ballots are used.
8. Proxies shall be subject to those rules set forth in the bylaws of This Committee and accordingly, shall vote in those districts where their appointing members are eligible to

participate.

9. The Credentials Committee shall issue its final report and place the official voting list of delegates in the hands of the Convention Secretary subsequent to the close of registration and prior to the agendized credentials report.
10. Election of Statewide Officers and Other State Officers (hereinafter: “Regional Directors”).
 - a. All Statewide Officers shall be elected by the entire membership of This Committee eligible to participate in the election.
 - b. Regional Directors shall be elected by Regional Caucuses, comprised of all members of This Committee resident in the respective regions eligible to participate in the election.
 - c. The election of all officers shall take place via signed written ballot sent to members of This Committee no later than **Wednesday, March 24, 2021**, and received by the Secretary of This Committee no later than **Wednesday, 5:00 p.m., April 21, 2021**.
 - d. The filing of Notices of Intent-to-Run Declarations in accordance with Article III-A of the Bylaws of This Committee is a prerequisite to being an eligible candidate for election.
 - e. Election shall be determined upon receiving a majority of votes cast.
 - f. In the event no candidate receives a majority of votes cast, a runoff election (2nd ballot) shall be held between the two persons receiving the largest number of votes actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved in accordance with the procedures in Article III-A of the bylaws of This Committee. Ballots, with the names of persons in contested run-off races, shall be sent to members of This Committee no later than **Monday, May 3, 2021**.
 - g. In order to be considered, a ballot in contested run-off races must be received by the Secretary of This Committee no later than Monday, at 5:00 p.m., on May 31, 2021, and the member must have complied with Rule 7 above.**
 - h. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America; Resolution of the DNC Rules Committee adopted on June 23, 1994; Article XIII, Section 9 of the Bylaws of This Committee, and the Policy Statement by the Rules Committee of the California Democratic Party on the Open Meeting Rule Adopted in Committee – July 14, 2018; no vote by secret ballot shall take place at this convention.
11. The Resolutions adopted by the members of This Committee and the Executive Board of

the California Democratic Party are expressions of philosophical beliefs and principles that the Party wishes to declare. Any resolution involving a local issue will be referred to the appropriate local Democratic Party entity.

12. **Pursuant to Article V, Section 5 (c), the Resolutions Committee has established and publish the procedures for the proposition of resolutions, which are available on the CDP WEB Site.**

13. **ADDITIONAL RESOLUTION PROCEDURES FOR 2021 CONVENTION**

a. Form:

- (1) All resolutions must be typed.
- (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and resolve clauses shall be limited to two (2) or less.
- (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
- (4) All resolutions must be adopted by a County Central Committee, or a Chartered Democratic Club or sponsored by twenty-five (25) members of This Committee, or a majority of the members of This Committee who meet at a Regional Meeting as described in Article III, Section 4d of the CDP's Bylaws.
- (5) Resolutions that call for a change in the CDP Bylaws or platform, or state the endorsement or support of a candidate for public office or opposition to a candidate who is a registered Democrat, or mandates or restricts the spending of money by the CDP, shall be ruled out of order and will neither be heard by the Resolutions Committee nor be able to reach the floor by way of Section 12, d (Late/Floor Resolutions) below.

b. Timely Resolutions:

- (1) Resolutions must be received by the State Chair of the Party in Sacramento, by 5p.m., thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.
- (2) Copies of resolutions submitted according to the above procedure shall be mailed by the State Chair of the Party to all members of the Resolutions Committee prior to a meeting of This Committee.

c. Resolutions Committee will present prioritized resolutions in the committee report to the convention body.

d. Late Resolutions will not be accepted at any virtual meeting of This Committee, unless approved by the Chair of This Committee.

e. Floor Resolutions

- (1) Twenty-five (25) copied of each resolution must be provided to the

Resolutions Committee by the sponsor(s) of the resolution.

- (2) All resolutions to be considered at the **2021 Convention** of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general session. **A late resolution, shall be considered by the Resolutions Committee at the next Executive Board Meeting of This Committee.**
 - (3) Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor **of the next Executive Board** meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee **submitted no later than seven (7) days after the adjournment of the Resolutions Committee. No resolution failing to obtain approval of the Resolutions Committee shall be brought to the Floor of the general session of This Convention.**
- f. Resolutions pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such resolutions shall first be presented to the Resolutions Committee for recommendation to the Executive Board. The Resolutions Committee shall recommend: adoption, adoption with amendment, or rejection. Such resolutions shall be presented to the Executive Board for consideration in its original form unless the sponsor agrees to the amendment(s) recommended by the Resolutions Committee.
13. The By-Laws and Rules of the California Democratic Party, and the Procedures for the Proposition of Resolutions referred to in Article V, Section 5, c, of the Bylaws and Rules of the California Democratic Party shall govern over these Rules for the 2021 California Democratic Party Convention in the event of a conflict.
 14. Any matter not provided for in these Rules for the 2021 California Democratic Party Convention, or in the Proposition of Resolutions referred to in Article V, Section 5, c, of the Bylaws and Rules of the California Democratic Party, shall be governed by Robert's Rules of Order.

EXHIBIT D

2021 Virtual CDP State Convention
Tentative Agenda
April 26 – May 2, 2021

NOTE – Caucuses and Standing Committees will be scheduled, after consultation with the Chairs. Additionally, workshops and other activities will be added to this agenda as presenters and speakers are developed and confirmed.

Wednesday, April 28, 2021

7PM Certification of Statewide Officer Elections
7PM Certification of Regional Director Elections

Thursday, April 29, 2021

6PM Credentials Committee*

Friday, April 30, 2021

10AM Resolutions Committee

Saturday, May 1, 2021

10AM Affirmative Action Committee
10AM Resolutions Committee (Prioritization)
10AM Rules Committee
3PM General Session

Sunday, May 2, 2021

10AM General Session
- Ratification of RD Elections
- Standing Committee reports
- Adoption of resolutions

***The Chair may change the timing of agenda items to accommodate scheduling as required.*