

# ENVIRONMENTAL CAUCUS OF THE CALIFORNIA DEMOCRATIC PARTY

## BYLAWS

(last amended 11/2018)

### **Article I: Name and Purpose**

#### Section 1. Name

The name of this organization is the Environmental Caucus of the California Democratic Party (Environmental Caucus).

#### Section 2. Purpose

The purpose of the Environmental Caucus shall be to promote issues relating to the environment and to represent those interested in environmental concerns within and for the Democratic State Central Committee of California.

The caucus is prohibited from endorsing candidates for partisan or non-partisan electoral office unless the candidate has received the official endorsement of the Democratic State Central Committee, as provided in its by-laws. Furthermore, unless a candidate for elective office has received the official endorsement of the CDP, all motions or support, recommendation, or other expressions of approval, no matter how denominated, are to be considered out of order at any meeting of this caucus.

However, the caucus may endorse candidates for non-elective office, such as gubernatorial appointments. This recommendation or endorsement must receive an affirmative 2/3rds vote in favor of all those voting, whether done at a Convention, Executive Board meeting or by the Executive Board of the Environmental Caucus in between meetings. Any such endorsement or statement of support must be noticed as an official item on the meeting agenda and may not be considered as New Business or a motion from the floor.

### **Article II: Organization**

#### Section 1. Relationship to the Democratic State Central Committee

The Environmental Caucus is a "Special Group Caucus" within the Democratic State Central Committee. The Environmental Caucus shall operate within the by-laws of

both the caucus and the Democratic State Central Committee. In case of conflict, the by-laws of the Democratic State Central Committee shall prevail.

## Section 2. Rules

These by-laws shall govern the organization, operation, and function of the Environmental Caucus, except as noted in Article II, Section 1.

## Section 3. Membership

The Environmental Caucus shall be open to all registered Democrats who subscribe to the purpose of the caucus upon payment of dues in effect at the time the person joins.

The Environmental Caucus is prohibited from discriminating on the grounds of race, color, creed, national origin, sex, gender, age, religion, ethnicity, sexual orientation, disabilities as defined by the Americans with Disabilities Act of 1990, or economic status.

Membership, including voting rights and the right to seek and hold office, in the Environmental Caucus is available on an equal basis to those who pay dues and those who seek and obtain a waiver based on self-identified economic hardship and/or an objective impediment to payment of dues. The effective date of each Caucus member's membership shall be noted in writing next to the name of the Caucus member in the Caucus' roster of members and any other official Caucus membership records.

Membership is effective upon receipt of dues payment.

## Section 4. Dues

Dues are for the calendar year. Dues cover two years beginning with odd numbered years beginning in 2021. They are set by the Executive Board of the Environmental Caucus at its discretion.

Waiver of membership dues for those who seek a dues waiver and self-identify as being unable to pay dues due to economic hardship or an objective impediment to payment of dues is effective upon receipt of a written request/dues waiver form. Waivers may only be requested in writing at the registration desk immediately prior to the calling to order of a regular meeting of the Caucus. The Caucus shall post a dues waiver form on the caucus listserv and shall have copies available at the registration

desk prior to each regular meeting of the Caucus.

Only individuals who have paid their dues or had their dues waived by the time of the commencement of voting will be entitled to cast a ballot.

### **Article III: Officers**

#### Section 1. Officers

The Officers of the Environmental Caucus shall be a Chair, Vice-Chair, Second Vice-Chair For Legislation, a Secretary, a Treasurer, a Party Policy Director, and an Outreach Director. The Officers shall comprise the Executive Board.

#### Section 2. Duties

The duties of the Officers are as follows:

- a). Chair: The chair shall be Chief Executive Officer and official voice of the Environmental Caucus and shall further the purpose of the Environmental Caucus. The chair will be designated as the Caucus' representative to the Executive Board of the Democratic State Central Committee.
- b). Vice-Chair: The Vice-Chair shall assist the chair in carrying out his/her duties and shall serve as the chair in the chair's absence.
- c). Second Vice-Chair for Legislation: The Second Vice-Chair for Legislation shall serve as the second Vice-Chair and shall assist the chair in carrying out his/her duties and shall bring information concerning environmentally-related issues, pending legislation, to the attention of the caucus.
- d). Secretary: The Secretary shall maintain the minutes of the meetings of the caucus and shall maintain current lists of caucus members. In addition, the secretary shall maintain the caucus listserv.
- e). Treasurer: The Treasurer shall take custody of the account for all funds raised by the Environmental Caucus consistent with the procedures of the Democratic State Central Committee, shall submit a quarterly financial report to the Treasurer of the Democratic State Central Committee, prepare a financial report for each meeting of the caucus, and submit budgets and/or financial reports as directed by the Caucus or

the Democratic State Central Committee.

f). The Party Policy Director shall assist the chair in identifying resolutions and platform issues and bringing them to the attention of the caucus and standing committees of the Democratic State Central Committee.

g). The Outreach Director shall assist the chair in networking with other caucuses, local Democratic clubs, identifying potential environmentally minded Democratic clubs and Democratic voters, and such other duties as may be appropriate.

### Section 3. Election of Officers

a). All officers shall be elected at the meeting of the Environmental Caucus held at the State Democratic Convention in odd numbered years. The Chair, Vice-Chair, Vice-Chair for Legislation, Treasurer, Secretary, Party Policy Director, and Outreach Director shall be elected by the entire membership present at the meeting.

b). **Nominations for officers shall be accepted at the meeting and** election shall be based on majority vote of members of the Caucus who are present and voting. Members who join the Caucus at the meeting are eligible to nominate and vote for officers. All persons nominated must be members of the Democratic State Central Committee for at least 30 days prior to the election.

c). All election notices shall be in writing and sent by no later than 20 days before the election and shall specify (1) the qualifications for office, (2) the applicable membership cutoff date for those seeking office, (3) the equal right to run for office and vote for those who pay dues and those who had their dues waived, (4) whom to contact to verify eligibility to run, (5) the applicable nomination deadline, including whether nominations may be taken from the floor, and all nomination procedures, (6) the applicable dues payment/waiver deadline to be eligible to vote; and (7) the date (and, to the extent known, the time and location) of the meeting at which the election will be conducted.

d). To facilitate campaigning and to assure equal access to membership information for non-incumbent and incumbent candidates, all candidates may order a copy of the most up-to-date Caucus roster in the window starting 10 days before the election.

e). The caucus e-board shall appoint an Election Judge to oversee any contested election. The Election Judge must be a member of the executive board of the California Democratic Party for at least four years, and must have no conflicts of interest regarding

the election over which the Election Judge is presiding.

f). All nominations for Caucus Office shall be made in writing at least 10 days before the date that balloting commences. Written nominations shall be sent to the secretary of the caucus and posted on the caucus listserv. Nominations do not need to be seconded. **If no nominations are made within 10 days before the date that balloting commences, nominations may be made on the floor.**

g). The secretary shall with keeping a record of who has paid or had waived Caucus dues, including working with the staff of the California Democratic Party to incorporate any records of online payments maintained by the California Democratic Party, and to prepare for the Election Judge a roster of the members of the Caucus who paid or had waived their dues as of the applicable cutoff date. If the Office of Secretary is vacant or if the Secretary fails to fulfill this responsibility, the Chair may appoint another member of the executive board for the purpose of fulfilling these responsibilities.

h). Prior to the commencement of voting at the election meeting, the Secretary shall provide the Election Judge a roster of the members of the Caucus who paid or had waived their dues as of the applicable cutoff time, which list shall be the source of membership eligibility data for purposes of the election.

i). All ballots shall be secret.

j). The Election Judge shall provide for sufficient provisional ballots to be available at the meeting to allow any person whose ballot is contested to cast a provisional ballot. Provisional ballot shall be of a different color than nonprovisional ballots and shall be placed in an envelope on which the voter's name and circumstances surrounding the casting of a provisional ballot shall be legibly printed. Provisional ballots once cast and placed in an envelope shall be cast by placing them in the ballot box. Provisional ballots shall be segregated and shall be opened and counted only when the issue forming the basis for requiring the ballot to be cast provisionally is resolved and only if potentially outcome determinative. The sole basis for a ballot to be cast provisionally shall be because: (1) the voter or another member of the Caucus contends that the voter should have been eligible to cast a ballot but that voter's name is not on the roster of members of the Caucus whose dues had been paid or waived as of the applicable cutoff date/time; (2) a member of the Caucus contends that the voter is (A) not a registered Democrat or (B) is not a person ineligible to register as a Democrat, but who has expressed an intent to register as a Democrat upon becoming eligible; or (3) a member of the Caucus contends that the voter should not have been eligible to cast a ballot because even though that voter's name is on the roster of members of the Caucus whose dues had been paid or waived as of the applicable cutoff date/time, the voter should not have been so listed.

k). The Election Judge shall have sole authority to resolve the issues posed by provisional ballots, voter or candidate eligibility, election procedures, and ballot counting, and shall do so within five days of the date of the meeting at which balloting occurred. Once the Election Judge has ruled, that decision is a final determination within the Caucus and any appeal must be had outside the Caucus. The [Election Committee/Judges of Election] shall be responsible for securing the roster of eligible voters, nomination documents (if any), ballots and any tallies until 10 days after the next California Democratic Party Executive Board meeting next succeeding the meeting at which balloting took place or the resolution of any challenge or appeal, whichever is later.

#### Section 4. Term of Office and Vacancies

- a). The term of office shall be for two years or until the close of a meeting where a successor is elected.
- b). A vacancy in any officer position, except chair, shall be filled by appointment by the Caucus Chair and ratified by a majority vote of the all officers.
- c). A vacancy in the position of chair shall be filled by majority vote of the remaining officers.

### **Article IV. Procedures for Meetings**

#### Section 1. Meetings

- a) All meetings of the Environmental Caucus shall be governed by Robert's Rules of Order, in the absence of specific procedures identified in these bylaws.
- b). Caucus Meetings shall be held every year at the State Convention of the Democratic Party and during the weekend of the regularly scheduled meetings of the State Party Executive Board. In addition, the Caucus may hold one special meeting per year open to the general public for the purpose of furthering ideals of the Caucus and the Democratic State Central Committee, location and date to be set by the Executive Board. All public meetings of the Caucus are open to all registered Democrats. Notice of each meeting and its proposed agenda shall be given, by posting on the listserv, ten days in advance of the meeting.
- c). In between Caucus meetings, the officers who comprise the Executive Board of the Caucus shall have the full authority to act on behalf of the Caucus. The Executive

Board may conduct business by telephone conference call or by email to all members of the Executive Board. There shall be no secret ballots within Executive Board meetings.

d) The caucus shall neither raise nor disburse funds other than nominal dues, and standard or routine costs of meetings (such as postage and costs associated with meeting rooms) shall be promptly accounted for and processed according to rules promulgated by the Democratic State Central Committee's Finance Committee.

## Section 2. Quorum and Voting

a) Five voting members at a regularly scheduled meeting under Article IV, Section 1 (b) shall be considered a quorum to do business.

b). Except as may be otherwise specifically provided herein, all decisions shall be made by a majority vote of those present and voting. Secret ballots for officer elections may be held upon request.

c). A voting member must be present to cast a vote. No proxies are permitted.

## Section 3. Amendments to By-Laws

These by-laws may be amended by any of the following methods:

a). A 2/3rds vote of those members present at the first meeting after January 1st in odd numbered years, provided that notice is given to members at least 14 days in advance of the meeting by emailing all members who have provided an email, posting the proposed amendments on the website, and sending them out via the caucus listserv. Membership will be determined under the provisions of Article II.

b). A 2/3rds vote of those present, at any other regularly scheduled meeting of the Caucus, provided at least 14% of the membership is present, provided that notice is given to members at least 14 days in advance of the meeting by emailing all members who have provided an email, posting the proposed amendments on the website, and sending them out via the caucus listserv.

c). By a 2/3rds vote of those participating in email or mail ballots sent to all members of the Environmental Caucus. All ballots returned within 10 days of the mailing shall be counted.

## ARTICLE V. CODE OF CONDUCT

### Section 1: Adoption of the Code of Conduct of the California Democratic Party

The Environmental Caucus hereby adopts the Code of Conduct of the California Democratic Party (hereinafter "CDP Code") and incorporates the CDP Code, as it now exists or as it may hereafter be amended, as a part of these bylaws. A copy of the current CDP Code is appended to these bylaws and if hereafter amended by the CDP, the amended CDP Code shall be considered to:

1. Have superseded the version appended hereto, and,
2. Be operative as if appended hereto.

### Section 2: Appending of Amended CDP Codes

At the earliest possible convenience, the current CDP Code shall be appended to these bylaws, without need for further action by This Caucus.

### Section 3: Violations

Any violation of the Code shall be considered a violation of the Caucus bylaws and shall subject the officer/member to discipline. Such discipline shall be in addition to any disciplinary actions by the California Democratic Party or any of its constituent parts.

### Section 4: Availability

Copies of the Code shall be:

1. Made a part of the notices of any and all meetings of this Caucus by inclusion of an appropriate link, and,
2. Made available to members attending any such meeting by the officer responsible for check in.

### Section 5: Filing

In addition to the process for the filing of any disciplinary charges under these bylaws, or under the bylaws of the CDP, the parliamentarian of this Caucus or, in their absence or when the conduct in issue involves the parliamentarian, any officer of this



Caucus is responsible for and charged with receiving and ensuring the prompt processing of any complaint of violation of the Code. These two tracks for processing such a complaint are not mutually exclusive and the failure to process a complaint under this Caucus' bylaws shall not constitute a failure to exhaust administrative remedies barring initiation of any process under the auspices of the CDP Conduct Commission.