

CDP RULES PACKET

August 28, 2021

**California Democratic Party Rules Committee Tentative Agenda
Saturday, August 28, 2021 at 2:00pm**

- I. Roll Call
- II. Adoption of Meeting Agenda p.1-2
- III. Review of Bylaw Amendments before the Executive Board: p.4-22
 - A. Adopted at 2021 State Convention p.5-8
 - a. Addition of the word “caste” to the non-discrimination clause of the Code of Conduct p.6
 - b. Addition of the word “caste” to Article XIII (General Policies), sections 1,2 and 4 p.7
 - c. Amend Article II (Public Office Members), Section 2.a. p.8
 - d. Amend Article VII: Executive Board, Section 2 Executive Board Membership p.8
 - B. Adopted at 2021 July Special Rules Committee Meeting p.9-22
 - a. Article V - Standing Committee Reorganization and Bylaws Amendments (technical amendment(s) to be offered) p.10-22
- IV. Subcommittee Reports p.23-32
 - A. Caucus Subcommittee
 - a. Oral Report from Subcommittee on Caucuses
Chair: Zakson, Members: Alcala, Cardenas, Garcia, Lee, Schultz, Woods-Gray
 - B. Endorsements Subcommittee p.24-32
 - a. Report from Subcommittee on Endorsements
Chair: Bowler, Members: Armstrong, Escutia, Glazer, Hernandez, King, Wong
 - C. Standing Committees Subcommittee
 - a. Oral Report from Subcommittee on Standing Committees
Chair: Shay, Members: Fernandez, Lee, Narayana, Shyne, Wong, Woods-Gray
- V. Proposed Bylaw Amendments p.33-52
 - A. Proposal by Dina Doll to amend and Restate Article XIII, Section 3(c)4 p.34-36
 - B. Proposal by Garry Shay to amend CDP Bylaws, Article X, (Charters), Section 2 (Granting) p.37-38
 - C. Proposal by Marcy Wingard to make procedural changes to the Legislation Committee Procedures that may possibly be in conflict with campaign laws p.39-40

- D. Proposal by Susie Shannon to make procedural changes to Resolutions Committee Procedures to all for email submissions p.41-42
 - E. Proposal by former Organizational Development Committee Chair Royce Kelley - report on revisions to the Chartering Guidelines adopted by O&D Committee May 1, 2021 p.43-50
 - F. Proposal by Ehab Shehata Article II (Membership), Section 3.c (Appointed Members) p.51-52
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- VI. Subcommittee and Caucus Recertification Grouping p.53-54
 - VII. Subcommittee Referrals - Previously Submitted p.55-109
 - VIII. New Business
 - IX. Adjournment

**REVIEW OF BYLAW
AMENDMENTS
BEFORE THE
EXECUTIVE BOARD**

**ADOPTED AT 2021
STATE CONVENTION**

PROPOSED BYLAW AMENDMENT

SUBMITTED BY AMAR SHERGILL (AD 9), 4/13/21

Appendix A:

CODE OF CONDUCT

Expected Behavior

The California Democratic Party (CDP) is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP. The CDP expects all leaders, members, employees, and others associated with the CDP to act professionally, respecting the personal rights and dignities of all individuals involved with the party so as to create a productive, inclusive environment for all. All individuals should feel welcome and safe within the CDP, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, **caste**, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, or any other legally protected classifications.

The CDP's behavior standards are not limited to CDP conventions and other meetings. Harassment will not be tolerated at any and all events sponsored by or affiliated with the CDP, as well as in CDP-related calls, texts, emails, and social media like Facebook, Instagram, and SnapChat.

TO: CDP Rules Committee

FR: Garry S. Shay and Amar Shergill

DA: 16 April 2021

RE: Proposed Amendment to CDP Bylaws re: Non-Discrimination on the Basis of Caste

Amend Article XIII, Sections 1, 2, and 4, as follows:

ARTICLE XIII: GENERAL POLICIES:

Section 1. PUBLIC MEETINGS All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, **caste**, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Further, the scheduling and location of public meetings and other public affairs of the Democratic Party at all levels must take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of persons with disabilities as defined in the Americans with Disabilities Act of 1990. The scheduling and location of such public meetings and other public affairs must also take into account the ability to fully and fairly participate with reasonable accommodations, where appropriate, of any religious minorities of significant numbers of concentration whose level of participation would be affected.

Section 2. TESTS AND OATHS No test for membership in, nor any oaths of loyalty to, the Democratic Party shall be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, color, creed, national origin, sex, age, religion, **caste**, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

* * *

Section 4. REGISTRATION The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, color, creed, national origin, sex, age, religion, **caste**, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Amend Article II, Section 2,a as follows:

ARTICLE II: MEMBERSHIP

Section 1. MEMBERSHIP

a. The Committee shall consist of:

- (1) One member for each elective public office named in Section 2a of this Article.

* * *

Section 2. PUBLIC OFFICE MEMBERS

a. For purposes of this Section, the following public officers shall be referenced:

- (1) President of the United States, if registered to vote in California as Party Preference Democratic,
- (2) Vice-President of the United States, if registered to vote in California as Party Preference Democratic,

Renumber succeeding sections accordingly

- (3) Governor etc.

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Amend Article VII as follows:

ARTICLE VII: EXECUTIVE BOARD

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Section 2. EXECUTIVE BOARD MEMBERSHIP

The Executive Board shall consist of the following members of This Committee:

a. The following public officials:

- (1) President of the United States, if registered to vote in California as Party Preference Democratic,
- (2) Vice-President of the United States, if registered to vote in California as Party Preference Democratic,

Renumber succeeding sections accordingly

- (3) All United States Senators, etc.

**ADOPTED AT 2021
SPECIAL JULY RULES
COMMITTEE MEETING**

TO: Lead Co-Chairs CALIFORNIA DEMOCRATIC PARTY Rules Committee: Valeria Hernandez and Coby King
FR: Chair Emeritus, Garry S. Shay
DA: 14 July 21
RE: Proposed Amendment to CALIFORNIA DEMOCRATIC PARTY Bylaws, Article V

The intent of the following bylaws change is to:

1. facilitate the changes envisioned by the Statewide Officers of This Committee in their recent “Joint Announcement by CADEM Statewide Officers on 2021 – 2023 Committee Appointments” issued July 1, 2021;
2. Create two newly formed Standing Committees, “Justice, Equity, Diversity, & Inclusion”, and “Organizing”;
3. Consolidate the duties of the former Affirmative Action Committee and Organizational Development Committee, along with the duties expressed in the aforementioned “Joint Announcement” into the new duties of the “Justice, Equity, Diversity, & Inclusion” Committee.
4. take into account the prior work of the no longer extant Voter Services Committee, regarding their request for a change in duties by incorporating it into the new duties of the “Organizing” Committee;
5. effectuate the now two (2) decade long tradition of having “Lead Chairs” of Standing Committees;
6. implement a “Chair Emeritus” designation;
7. provide for standardized Bylaws templates for Caucuses, allowing for certain variations in content;
8. provide for cross-committee communication, development, and standardization of adoption of Committee procedures;
9. Task the Rules Committee with Chartering of Statewide Organizations.
10. provide for a more transparent and accessible publication of Committee Procedures; and,
11. better set forth the responsibilities of the Committees, and their Chairs, in a significantly more reader friendly format.

STRIKE: EXISTING ARTICLE V.

[NOTE: For the convenience of the reader, existing Article V is appended at the end of this memo.]

ADOPT THE FOLLOWING:

ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES

Section 1. STANDING COMMITTEES:

This Committee shall have the following Standing Committees with the duties as set forth herein below:

- a. Credentials,
- b. Finance,
- c. Justice, Equity, Diversity, & Inclusion
- d. Legislation,
- e. Organizing,
- f. Platform,
- g. Resolutions, and,
- h. Rules.

Section 2. CONSOLIDATION OF COMMITTEES:

The Chair of This Committee, during the period of their tenure, may consolidate, or if once done, deconsolidate, standing committees as deemed appropriate, subject to ratification by the Executive Board of This Committee.

Section 3. APPOINTMENT and NUMBER OF MEMBERS OF COMMITTEES:

- a. Except as set forth herein below, the Chair of This Committee, in consultation with the other Statewide Officers, shall appoint from fifteen (15) to thirty (30) members of This Committee to each of the Standing Committees mentioned herein; provided, however, that due to the work and nature of:
 - 1) The Standing Committee on Credentials, it shall be comprised of 25 – 45 members, and,
 - 2) The Standing Committee on Organizing, it shall be comprised of 60 – 80 members.
- b. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party’s commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status, and the geographical location of the appointees, including their residence in urban, suburban, or rural communities.

Section 4. APPOINTMENT and RESPONSIBILITIES OF CO-CHAIRS:

- a. The Chair of This Committee, in consultation with the other Statewide Officers, shall appoint Lead co-chair(s), and may appoint other co-chairs, of each Standing Committee from among its members.

- b. The Chair of This Committee may designate the most senior tenured Co-Chair of a Standing Committee, as “Chair Emeritus”, in recognition of their terms of service.
- c. Responsibilities:
 - 1) The Lead Co-Chair(s) of Standing Committees shall be responsible for:
 - a) Setting the agenda of the Standing Committee prior to each meeting,
 - b) Appointing such sub-committees, and their Chair(s) as may be necessary, and,
 - c) In consultation with the other Co-Chairs, providing for the overall direction and administration of the Standing Committee.
 - 2) The other Co-Chairs shall provide guidance, support, and assistance in the administration and functioning of the Standing Committee, as may be requested by the Lead Co-Chairs.
- d. It shall be the further responsibility of the Lead Co-Chairs of the Committees on Finance; Justice, Equity, Diversity, & Inclusion; and, Organizing to:
 - 1) prepare an Action Plan within three months of their appointment, and annually thereafter, for consideration and adoption by those committees at their next meeting with individual assignments for the members of the committee,
 - 2) transmit the Action Plan to the Chair and Statewide Officers for review, and
 - 3) make regular reports to the Executive Board on their Committee’s activities and progress on the Action Plans.
 - 4) make annual reports to the State Delegates on their Committee’s activities and progress on the Action Plans, which shall be made public to the state delegates by listing on the This Committee’s website.

Section 5. STANDING COMMITTEE DUTIES AND RESPONSIBILITIES:

- a. Credentials:

It shall be the duty of the Credentials Committee to:

 - 1) approve the credentials of all persons appointed or elected to This Committee,
 - 2) review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws,
 - 3) present a list of qualified members to the Chair of This Committee as soon as practicable,
 - 4) hear certain appeals from decisions of the Compliance Review Commission, as specified in Article XII, and,
 - 5) recommend the resolution of all challenges of, by, and to, members or proxies, which are referred to it pursuant to these Bylaws.
- b. Finance:

It shall be the duty of the Finance Committee to:

 - 1) organize, in cooperation with the officers of This Committee, activities and policies designed to protect and enhance the financial position of the Party;
 - 2) prepare in cooperation with This Committee, This Committee’s operating budget for presentation to the Executive Board; and,

- 3) to review and report to the Executive Board on the budgeting policies of the California Democratic Party.

c. Justice, Equity, Diversity, & Inclusion:

It shall be the duty of the Justice, Equity, Diversity and Inclusion Committee to:

- 1) focus on long-term cultural change in our Party necessary to accomplish its other duties;
- 2) recommend to the Executive Board of This Committee, monitor, and report on the progress of, a program to accomplish Justice, Equity, Diversity, and Inclusion, and, expand it to inform and educate Party Leaders and Delegates;
- 3) recommend to the Rules Committee improvements to This Committee's Code of Conduct, attached hereto as Appendix "A", and its procedures;
- 4) implement those programs adopted and designed to accomplish anti-racism and racial justice to ensure full, fair, and equitable access to our Party;
- 5) advise all persons with power of appointment and all electing bodies of the demographics of California Democrats so they may make informed choices in the selection and election of delegates, committee members and staff who are representative of the diversity of the Democratic Party with respect to gender, ethnicity, creed, age, sexual orientation, economic status, persons with disabilities as defined in the Americans with Disabilities Act of 1990, and area of residence;
- 6) implement and monitor the goal of affirmative action for selection of:
 - a) The delegates to all State Conventions and Conferences;
 - b) The members of all Standing Committees of This Committee;
 - c) California delegates to all National Conventions and Conferences; and,
 - d) The staff of the California Democratic Party;
- 7) recommend to the Chair of This Committee, and its Executive Committee, local, state and national political strategies, activities, and policies designed to improve the organizational effectiveness of the Party; and
- 8) propose a plan for redistricting of the Regions after each State Reapportionment is adopted.

d. Legislation,

It shall be the duty of the Legislation Committee to:

- 1) propose legislation when needed, in response to the duties and policies of the Party;
- 2) maintain a listing of all pending legislation that is of "must" and/or major concern to the Party;
- 3) keep a record of the vote by the Democratic Party legislators on such legislative items;
- 4) in consultation with the Chair of This Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach; and,
- 5) advise the Chair of This Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules committee.

e. Organizing:

It shall be the duty of the Organizing Committee, working with the CALIFORNIA DEMOCRATIC PARTY Organizing Department, to:

- 1) organize activists, volunteers, and Democrats year round;
- 2) conduct Relational Organizing, harnessing personal relationships year-round to get better voter engagement and higher conversion rates;
- 3) provide recommendations on digital tools, methods and programming that the Party can implement to effectively reach all voters in California;
- 4) build the strategic organizing capacity of local leaders and county parties by providing in-depth organizing trainings to activists around issues and the latest voter contact tactics;
- 5) coordinate and lead voter registration programs aimed at increasing Democratic Party registration;
- 6) provide recommendations to the California Democratic Party on how to effectively engage with communities of color and how to be intersectional organizers in our diverse state;
- 7) help support candidate recruitment efforts across the state and up and down the ballot, focusing on building the bench of the next generation of leaders;
- 8) support the Democratic voter expansion & engagement efforts of the Party and empower the voter organizing work of Party caucuses;
- 9) strengthen Voter Engagement by:
 - a) developing a system of grassroots organizing to facilitate active participation of voters across demographics in Party activities, with a specific focus on low-income voters;
 - b) working with Democratic organizations, state legislative caucuses and county committees to ensure a registered Democrat runs in every election to partisan, and non-partisan, public office who wishes the Party's endorsement, and who is worthy of consideration for that endorsement as allowed for in Article VIII, Endorsement of Candidates, prioritizing age, race, gender identity and disability representation when evaluating future candidates;
 - c) reviewing those non-partisan races in which there was no Democratic candidate in the preceding election to that office and work with the aforementioned organizations to ensure there shall be at least one Democratic candidate for the next election to that office.
 - d) supporting and implementing the This Committee's training and education program through volunteerism and participant recruitment;
 - e) recommending goals and guidelines for the California Democratic Party voter contact program, such as an operational plan for an effective vote-by-mail campaign in each special and general election for state and local campaigns;
 - f) develop a plan to increase the percentage of Democratic voters who register for permanent vote-by-mail status;
- 10) expand Party Voter Education by:
 - a) Supporting This Committee's voter education efforts by amplifying voter education messaging to diverse communities;
 - b) Partnering with community-based organizations to ensure our message is communicated to both a geographically and ethnically diverse base of voters;

- c) coordinating training seminars which include instruction on campaign management, issues, and financial reporting requirements;
 - 11) increase Democratic Voter Registration by:
 - a) developing and implementing registration programs specifically designed to reach Californians equitably regardless of age, race, gender identity or disability that are newly eligible to vote or wish to change Party, including No Party Preference voters;
 - b) Partnering with Party caucuses, labor groups, community-based organizations and key stakeholders to organize voter registration programs;
 - c) supporting county committee registration efforts at local naturalization ceremonies, college and high school campuses, and other sources of potential new Democratic registrants;
 - 12) provide Voter Protection Services by:
 - a) designing voter protection programs to combat voter suppression and recommend best practices for accomplishing such to county committees in a manner that takes into account and ensures intergenerational institutional knowledge of voter suppression tactics inform program design; and,
 - b) supporting voter protection efforts in priority county's and highly contested federal and state races as needed.

- f. Platform,

It shall be the duty of the Platform Committee to:

 - 1) hold at least three (3) meetings throughout the state to solicit input and testimony on the development of the proposed planks of the Platform of This Committee,
 - 2) have a platform draft available for interested persons at least seven (7) days prior to the first day of the meeting of This Committee at which the platform is to be considered,
 - 3) hold a final hearing on or before first day of the meeting(s) of This Committee at which the platform is to be considered; and,
 - 4) present to This Committee for approval a final draft of the platform during the second day of the meeting(s) of This Committee at which the platform is to be considered.

- g. Resolutions:

It shall be the duty of the Resolutions Committee to:

 - 1) review all resolutions proposed to This Committee or the Executive Board in accordance with these By-Laws, and the procedures for the proposition of resolutions,
 - 2) recommend, reject, or amend all such resolutions prior to referral to This Committee or the Executive Board.

- h. Rules.

It shall be the duty of the Rules Committee to:

 - 1) keep the By-Laws and Rules of This Committee consistent with the aims and policies of This Committee;
 - 2) propose special rules, and changes to the Rules and By-Laws, when necessary;
 - 3) promulgate forms for quarterly financial disclosure statements for the Statewide Officers;
 - 4) propose a plan for redistricting of the Regions after each State Reapportionment is adopted;

- 5) promulgate rules for the filling of vacancies in Regional Directorships;
- 6) in consultation with the Lead Chairs of the other Standing Committees and Commissions, adopt and promulgate procedures for the functioning of those Standing Committees and Commissions, which procedures shall be published as appendixes of these Rules and Bylaws, and shall be subordinate thereto;
- 7) biennially, promulgate rules for the conduct of Assembly District Election Meetings, which shall be published in a manner anticipated to be accessible to all interested persons;
- 8) promulgate Procedures for Chartering, Re-Chartering, and De-Chartering of Statewide Chartered Organizations, and advise the Secretary of This Committee as to what information is needed on the Application for Charter;
- 9) promulgate Procedures for Certification, Re-Certification, and Decertification of Caucuses, to advise the Secretary of This Committee as to what information is needed on the Application for Certification of Caucuses, certify and decertify caucuses,
- 10) promulgate standardized Bylaws templates for Caucuses, allowing for certain variations in content;
- 11) recommend changes in the Code of Conduct as may be necessary from time to time;
- 12) effectuate the flow chart entitled "Process for Reporting Misconduct and Harassment" attached hereto as Appendix "B,";
- 13) to hear certain appeals from decisions of the Compliance Review Commission as specified in Article XII; and,
- 14) to interpret the rules and By-Laws when called upon by the Chair of This Committee or the Executive Board.

Section 6: SPECIAL COMMITTEES:

The Chair of This Committee may appoint such special committees as they deem appropriate.

Section 7: PROCEDURES FOR COMMITTEE PROCEEDINGS:

- a. Committee proceedings shall be governed by these bylaws, and when not in conflict therewith, such rules and procedures as may be adopted pursuant to the provisions of these bylaws. Any matter not covered by either these bylaws, or said rules and procedures, shall be governed by the latest edition of Robert's Rules of Order.
- b. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- c. Except as may be otherwise allowed herein, in order for a Standing Committee, a subcommittee thereof, or any of its members to meet other than in person, the Chair of This Committee must:
 - 1) After considering the nature of the meeting, make a determination that:
 - a) allowing it to be conducted other than in person does not impose any undue burden;
 - b) does not fundamentally alter the nature of the proceeding;
 - c) that the need for physical presence is not a paramount component of the meeting, and,
 - d) each member can speak and be heard by the other members;

- 2) Provide at least seven (7) day's notice to all interested persons that proceedings may be conducted other than in person, and,
 - 3) Provide a means for all other interested persons to likewise attend, at least via "listen/view-only" mode.
- d. Except as may be otherwise allowed herein, rules allowing for meetings of standing committees and subcommittees other than in person, shall only apply to such meetings that are not concurrent with a Convention or Executive Board meetings of This Committee.

The following shall be a footnote to Article V:

In the event that a cross-reference to Article V is rendered inappropriate as a result of any of the above changes, the Secretary of This Committee, in consultation with the Lead Chairs of the Rules Committee, shall be empowered to make such change without need for further action. Any such change shall be reported to the Executive Board of This Committee at its next meeting for ratification.

ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES

Section 1. STANDING COMMITTEES

This Committee shall have the following Standing Committees with the duties as set forth herein below: Credentials; Rules; Resolutions; Platform; Affirmative Action; Legislation; Finance; Voter Services; and Organizational Development.

Section 2. CONSOLIDATION OF COMMITTEES

The Chair of This Committee, during their tenure, may also consolidate, or if once done, deconsolidate, standing committees as deemed appropriate, subject to ratification by the Executive Board of This Committee.

Section 3. APPOINTMENT OF MEMBERS OF COMMITTEES

Except as set forth herein below, The Chair of This Committee shall appoint from fifteen to thirty members of This Committee to each of the Standing Committees mentioned herein. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party's commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status. The geographical location of the appointees, including their residence in urban, suburban, or rural communities, shall also guide the Chair of This Committee in making appointments to each Standing Committee.

Section 4.

APPOINTMENT OF CO-CHAIRS

The Chair of This Committee shall appoint co-chairs of each Standing Committee from amongst its members.

Section 5.

STANDING COMMITTEE DUTIES AND

RESPONSIBILITIES

a. Credentials Committee:

The Credentials Committee shall be comprised of 25-45 members. It shall be the duty of the Credentials Committee to approve the credentials of all persons appointed or elected to This Committee, to present a list of qualified members to the Chair of This Committee as soon as practicable, and to hear certain appeals from decisions of the Compliance Review Commission, as specified in Article XII. The Credentials Committee shall review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws. All challenges of members or proxies shall be referred to the Credentials Committee for resolution

b. Rules Committee:

It shall be the duty of the Rules Committee to keep the By-Laws and Rules of This Committee consistent with the aims and policies of This Committee, to propose changes

in the rules and By-Laws and special rules when necessary, to promulgate forms for quarterly financial disclosure statements for the Statewide Officers, promulgate rules for the filling of vacancies in Regional Directorships, adopt guidelines for the Legislation Committee, promulgate rules for the conduct of Assembly District Election Meetings, to adopt guidelines upon recommendation of the Organizational Development Committee for the Chartering of Organizations under Article X of these bylaws, to advise the Secretary of This Committee as to what information is needed on the Application for Charter, approve or reject proposed Caucus Statements of Purpose and Intended Activity, promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses, to advise the Secretary of This Committee as to what information is needed on the Application for Certification of Caucuses, certify and decertify caucuses, promulgate procedural rules for the operation of the Compliance Review Commission, recommend changes in the Code of Conduct as may be necessary from time to time, promulgate procedural rules for the operation of the Conduct Commission and to effectuate the flow chart entitled "Process for Reporting Misconduct and Harassment" attached hereto as Appendix "B," to hear certain appeals from decisions of the Compliance Review Commission as specified in Article XII, and to interpret the rules and By-Laws when called upon by the Chair of This Committee or the Executive Board.

c. Resolutions Committee:

It shall be the duty of the Resolutions Committee to review all resolutions proposed to This Committee or the Executive Board in accordance with these

By-Laws. The Resolution Committee shall have authority to recommend, reject, or amend all such resolutions prior to referral to This Committee or the Executive Board. The Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with these By-Laws.

d. Platform Committee:

It shall be the duty of the Platform Committee to hold at least three meetings throughout the state, to have a platform draft available for interested persons on the first day of the meeting of This Committee at which the platform is to be considered, to hold a final hearing during the first day of that meeting, and to present to This Committee for approval a final draft of the platform during the second day of that meeting.

e. Finance Committee:

The Finance Committee shall be comprised of 25-35 members. It shall be the duty of the Finance Committee to organize, in cooperation with the officers of This Committee, activities and policies designed to protect and enhance the financial position of the Party; to prepare in cooperation with This Committee, This Committee's operating budget for presentation to the Executive Board; and to review and report to the Executive Board on the budgeting policies of the California Democratic Party.

f. Affirmative Action Committee:

The Democratic Party has a commitment to diversity and openness in participation. To ensure that commitment, the Affirmative Action Committee shall advise all persons with power of appointment and all electing bodies of the demographics of California Democrats so they may make informed choices in the selection and election of delegates, committee members and staff who are representative of the diversity of the Democratic Party with respect to gender, ethnicity, creed, age, sexual orientation, economic status, persons with disabilities as defined in the Americans with Disabilities Act of 1990, and area of residence. It shall be the duty of the Affirmative Action Committee to implement and monitor the goal of affirmative action for selection of:

- (1) The delegates to all State Conventions and Conferences;
- (2) The members of all standing committees of the State Central Committee of the California Democratic Party;
- (3) California delegates to all National Conventions and Conferences;
- (4) The staff of the California Democratic Party.

g. Legislation Committee:

It shall be the function of the Legislation Committee to propose legislation

when needed, in response to the duties and policies of the Party; to maintain a listing of all pending legislation that is of "must" and/or major concern to the Party; and to keep a record of the vote by the Democratic Party legislators on such legislative items. The Legislation Committee shall in consultation with the Chair of This Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach, and as needed, shall advise the Chair of This Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules committee.

h. Voter Services Committee:

The Voter Services Committee shall be comprised of 50-80 members. It shall be the duty of the Voter Services Committee:

- (1) To develop a system of grass roots organizing at the precinct level to facilitate active participation of voters in Democratic Party activities;
- (2) To coordinate programs to increase Democratic Party voter registration;
- (3) To organize new citizen swearing in events;
- (4) To organize outreach at college campuses and other sources of potential new Democratic registrants;
- (5) To recommend goals and guidelines for the California Democratic Party voter contact program, such as an operational plan for an effective vote-by-mail campaign in each special and general election for state and local campaigns;
- (6) To develop a plan to increase the percentage of Democratic voters who register for permanent vote-by-mail status.
- (7) To coordinate training seminars which include instruction on campaign management, issues, and financial reporting requirements;
- (8) To make every reasonable effort to assure that with respect to each and every partisan office that there shall be at least one Democratic candidate who has filed, who wishes the Party's endorsement, and who is worthy of consideration for that endorsement as allowed for in Article VIII, Endorsement of Candidates;
- (9) To review those non-partisan races in which there was no Democratic candidate in the preceding election to that office and to ensure there shall be at least one Democratic candidate for the next election to that office.

i. Organizational Development Committee:

It shall be the duty of the Organizational Development Committee:

- (1) To recommend to the State Chair local, state and national political strategies, activities, and policies designed to improve the organizational effectiveness of the Party;
- (2) To propose a plan for redistricting of the Regions after each State Reapportionment is adopted;
- (3) To propose guidelines to the Rules Committee, for their consideration and approval, concerning the Chartering of Organizations under Article X of these bylaws; and,
- (4) To recommend to the Executive Board the granting or rejection, of applications for Charter of organizations under Article X of these bylaws pursuant to guidelines adopted by the Rules Committee.

Section 6: ADDITIONAL RESPONSIBILITIES

It shall be the responsibility of the Co-Chairs of those Committees described in section 5 (f), (g), (h), and (i) to:

- a. prepare an Action Plan within three months of their appointment, and annually thereafter, for consideration and adoption by those committees at their next meeting with individual assignments for the members of the committee,
- b. transmit the Action Plan to the Executive Board of This Committee for consideration and adoption, and
- c. make regular reports to the Executive Board on their Committee's activities and progress on the Action Plans.
- d. make annual reports to the State Delegates on their Committee's activities and progress on the Action Plans. This would be made public to the state delegates by listing it on the Party's website.

Section 7: SPECIAL COMMITTEES

The Chair of This Committee may appoint such special committees as they deem appropriate.

Section 8: PROCEDURES FOR COMMITTEE PROCEEDINGS

Committee proceedings shall be governed by these bylaws, and when not in conflict therewith, such rules and procedures as may be adopted pursuant to the provisions of

these bylaws. Any matter not covered by either these bylaws or said procedures shall be governed by the latest edition of Robert's Rules of Order.

- a. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- b. Except as may be otherwise allowed herein, in order for a Standing Committee, a sub-committee thereof, or any of its members to meet other than in person, the Chair of This Committee must:
 - (1) After considering the nature of the meeting, make a determination that allowing it to be conducted other than in person does not impose any undue burden, does not fundamentally alter the nature of the proceeding, and that the need for physical presence is not a paramount component of the meeting, so long as each member can speak and be heard by the other members,
 - (2) Provide at least seven (7) days notice to all interested persons that proceedings may be conducted other than in person, and
 - (3) Provide a means for all other interested persons to likewise attend, at least via "listen/view-only" mode.
- c. Except as may be otherwise allowed herein, rules allowing for meetings of standing committees and subcommittees other than in person, shall only apply to such meetings that are not concurrent with a Convention or Executive Board meetings of This Committee.

SUBCOMMITTEE REPORTS

MEMORANDUM

To: CDP Rules Committee
From: Coby King, Vice Chair, CDP Rules Committee Subcommittee on Endorsements
Date: August 25, 2021
Re: Report of CDP Rules Committee Subcommittee on Endorsements

On August 4, 2021, the CDP Rules Committee Subcommittee on Endorsements held a meeting to consider a variety of bylaws changes impacting the 2022 endorsements process. After establishing a quorum and approving the agenda, the Subcommittee reviewed Glenn Glazer's endorsement process flowchart, suggested some minor changes, and thanked Mr. Glazer for his efforts. The revised flowchart is attached.

As to specific bylaw amendments, there are three sections to this report. The first section is staff-proposed changes. The second section is two proposals submitted by Andres Ramos. The third section is a proposal submitted by Amar Shergill.

Section 1: Staff-proposed Endorsement By-laws Changes 2021-22

Staff proposed updates to certain deadlines in the Bylaws, driven by two primary factors. First, technological changes in communications and other areas have lessened the need for long lead times in noticing deadlines for certain actions. Second, due to delays in the completion of the 2020 Census, certain deadlines in the Bylaws currently make it difficult and close to impossible to hold an Endorsing Convention in time to ensure such endorsements appear on voters' ballots while still meeting all the deadlines in the Bylaws.

Here are the changes being proposed:

Change 1:

In Article IV, Section 1.a.(3), replace "sixty (60)" with "forty-five (45)," so that the clause would read:

For all other meetings of This Committee (whether regular or special), the qualification date shall be a date selected by the Chair of This Committee and publicized on the Party's website that is between ~~sixty (60)~~ forty-five (45) and ninety (90) days prior to that meeting.

Change 2:

In Article VIII, section 1.k, change:

Prohibition on Endorsing in Reapportionment Years:

This Committee shall not endorse in partisan primary races in districts subject to redistricting unless redistricting has been implemented within ninety (90) days of a duly noticed "endorsing convention" of This Committee.

To:

Prohibition on Endorsing in Reapportionment Years:

This Committee shall not endorse in partisan primary races in districts subject to redistricting unless final maps have been published by the California Citizens Redistricting Commission ~~redistricting has been implemented~~ within ~~ninety (90)~~ forty-five (45) days of a duly noticed "endorsing convention" of This Committee.

Change 3:

In Article VIII, section 1.g.(6), replace "sixty (60)" with "forty-five (45)," so that the clause would read:

No proxy voting shall be allowed at pre-endorsing conferences. In order to effectuate notice to all potential voters, and to determine and certify eligibility to vote, it shall be the responsibility of each Regional Director, with the assistance of the relevant County Committee Chair(s) and the Executive Board representative from each Assembly District to identify by name all persons who will be eligible voters at their regional pre-endorsing conference and to transmit the names of all such voters to the State Chair, along with the Assembly District, Senate District and Congressional District in which each resides by a date selected by the Chair of This Committee and publicized on the Party's website that is between ~~sixty (60)~~ forty-five (45) and ninety (90) days prior to the State Endorsing Convention. A roster of the certified eligible voters shall be maintained by that Regional Director and shall be provided to the Chair of This Committee and to each candidate who has requested consideration. In order to be a voting member of a pre-endorsing conference, an individual's membership must have been certified as indicated herein and their name must appear, or have had the right to appear, on the certified roster as described above. Nothing in this section relieves a Democratic Club of its obligation to submit its roster to the Regional Director by the date selected pursuant to Section 3(g)(5)(c)(1)(a) above.

Change 4:

In Article VIII, section 1.g.(13), replace "sixty (60)" with "forty-five (45)," so that the clause would read:

The name of a non-incumbent or of an incumbent subject to Section 3.g.(12)(a) or Section 3.g.(12)(b) may be placed on the consent calendar of This Committee's endorsing convention upon receiving at least seventy percent (70%) vote, of those valid votes cast, at a pre-endorsing conference. The consent calendar shall be approved by a simple majority vote of This Committee. Upon approval of the consent calendar the candidate shall become the endorsed candidate of the Democratic Party. A name may be removed from the consent calendar by at least twenty percent (20%) of the members of This Committee resident and qualified by a date selected by the Chair of This Committee and publicized on the Party's website that is between ~~sixty (60)~~ forty-five (45) and ninety (90) days prior to the State Endorsing Convention in the District in question or by at least twenty

percent (20%) of the members of This Committee by filing a letter of objection with the State Chair no later than ten (10) days prior to the State Endorsing Convention. If a name is removed from the consent calendar, the By-Laws of This Committee regarding endorsements shall apply.

M/S/P unanimously to adopt all four of these changes by the Subcommittee and recommend them to the full Rules Committee.

Section 2: Two proposals submitted by Andres Ramos

Proposal 1– Timing of Special Election Endorsing Caucus.

Explanation: This amendment would require a Special Election Endorsing Caucus to be scheduled prior to the deadline announced by the Secretary of State for the submission of political party endorsements for inclusion in the sample ballot pamphlet.

Rationale: In early 2019, the CDP endorsed Silke Pflueger for the Senate District 1 special election, however the endorsing caucus was held after the Secretary of State’s deadline to submit political party endorsements in the sample ballot. As a result, the CDP’s endorsement of Ms. Pflueger was not communicated to voters in the sample ballot. Ms. Pflueger narrowly lost the top-two primary after another Democrat (who had recently been a registered Republican) on the ballot pulled enough votes to split the Democratic vote.

Amend Article VIII, Section 3, Subdivision e, Paragraph (1) by inserting “The date selected by the Chair of This Committee for the convening of the Special Election Endorsing Caucus shall be before the deadline for the submission of political party endorsements for inclusion in the sample ballot as announced by the Secretary of State.” After “shall appoint a Special Elections Appeals Committee.”, as follows:

- (1) In the case of a special election where an endorsement cannot be made at the biennial endorsing convention of the California Democratic Party, for the primary special election, the Chair of This Committee shall cause to be convened a Special Election Endorsing Caucus of the members of This Committee resident in the relevant district, shall designate a convener and shall appoint a Special Elections Appeals Committee. The date selected by the Chair of This Committee for the convening of the Special Election Endorsing Caucus shall be before the deadline announced by the Secretary of State for the submission of political party endorsements to be included in the sample ballot. The endorsing caucus shall be comprised of all members of This Committee resident in the district at 5 PM of the day of the Governor’s Proclamation of the election, except that:

After extensive discussion, the Subcommittee came to a consensus that the concept contained in the proposal was worthy of inclusion in the Bylaws but that there were issues with the exact wording that needed additional consideration.

Proposal 2– Judicial Retention Elections.

Explanation: This amendment would provide that an endorsement in a judicial retention election is treated as a ballot measure endorsement, but may only be initiated with the support of a majority of the statewide officers or thirty Executive Board members.

Rationale: This situation is very unlikely to occur, but the bylaws should be clear about what the process would be for a retention election endorsement just in case the need arises in the future. If right-wing interests attempted to oust

a justice as happened in 1986 with Chief Justice Rose Bird and Associate Justices Cruz Reynoso and Joseph Grodin, it would make sense for the CDP to oppose such an effort. This proposal requires that consideration of the position be initiated by a majority of the statewide officers or thirty Executive Board members. That would ensure that a position would only be considered in extraordinary circumstances (such as happened in 1986).

Amend Article VIII, Section 5 by adding Subdivision e, as follows:

- b. *This Committee may support or oppose the retention of a justice of the California Supreme Court or of the California Court of Appeal in the same manner as the adoption of a resolution to endorse or oppose a state ballot proposition, initiative, or referendum, but only if a majority of the statewide officers or thirty (30) members of the Executive Board present a resolution to support or oppose the retention.*

After extensive discussion, the Subcommittee came to a consensus that the concept contained in the proposal was worthy of inclusion in the Bylaws but that there were issues with the exact wording that needed additional consideration.

Section 3: Proposal Submitted by Amar Shergill

Amar Shergill submitted the following proposal:

Article VIII: Endorsement

Adding Section 1(l)

This Committee shall not in any way support or endorse a candidate who has accepted financial contributions from law enforcement organizations, or more than \$99 from those with leadership positions in law enforcement organizations, after May 25, 2020, the date of the murder of George Floyd by a police officer.

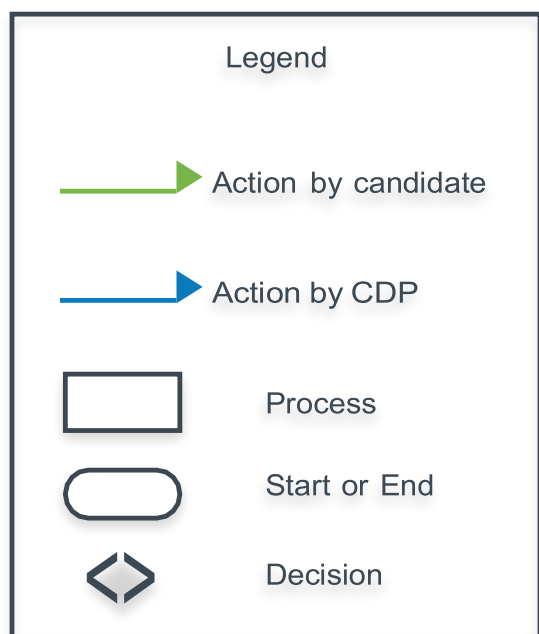
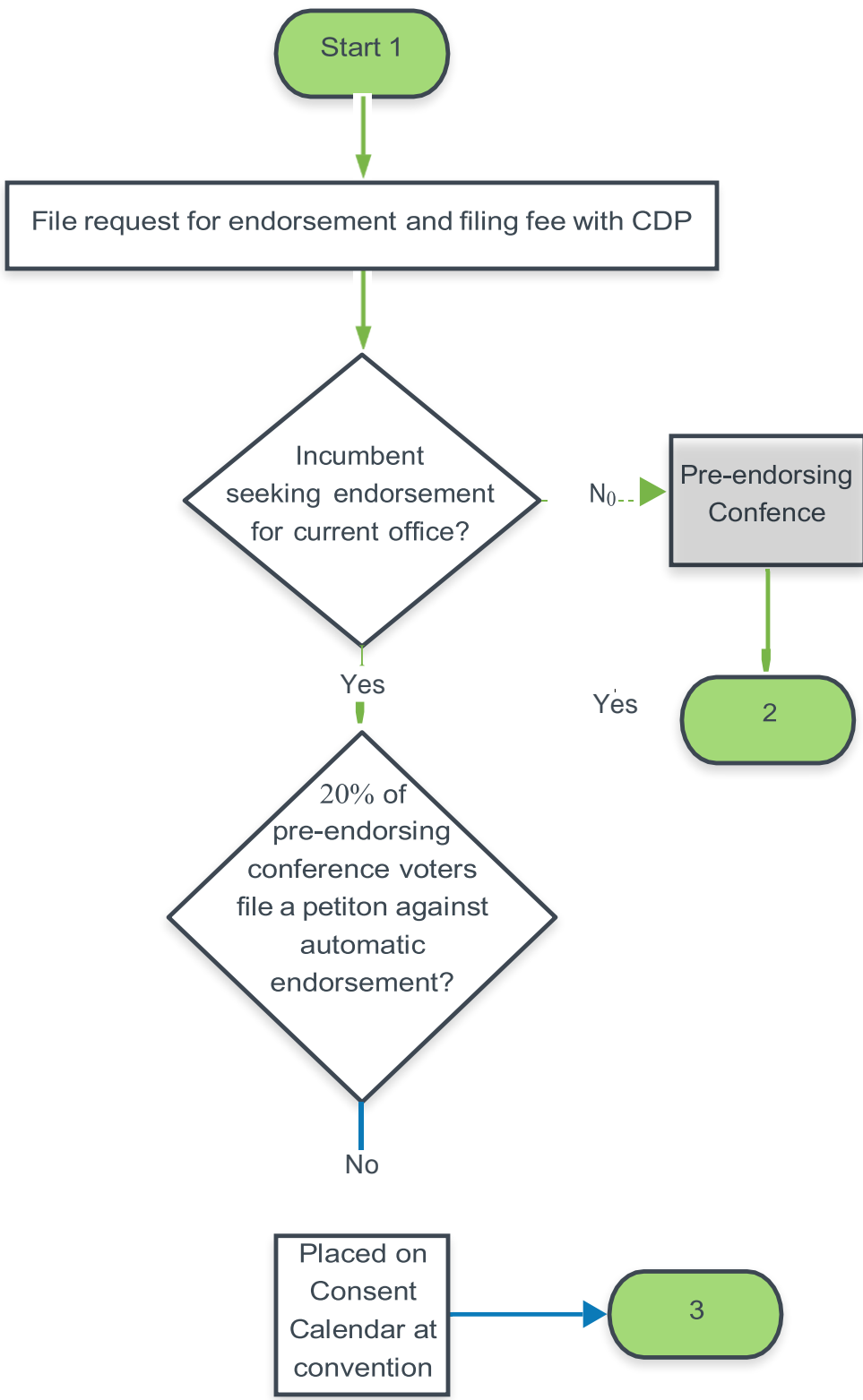
Adding Section 1(m)

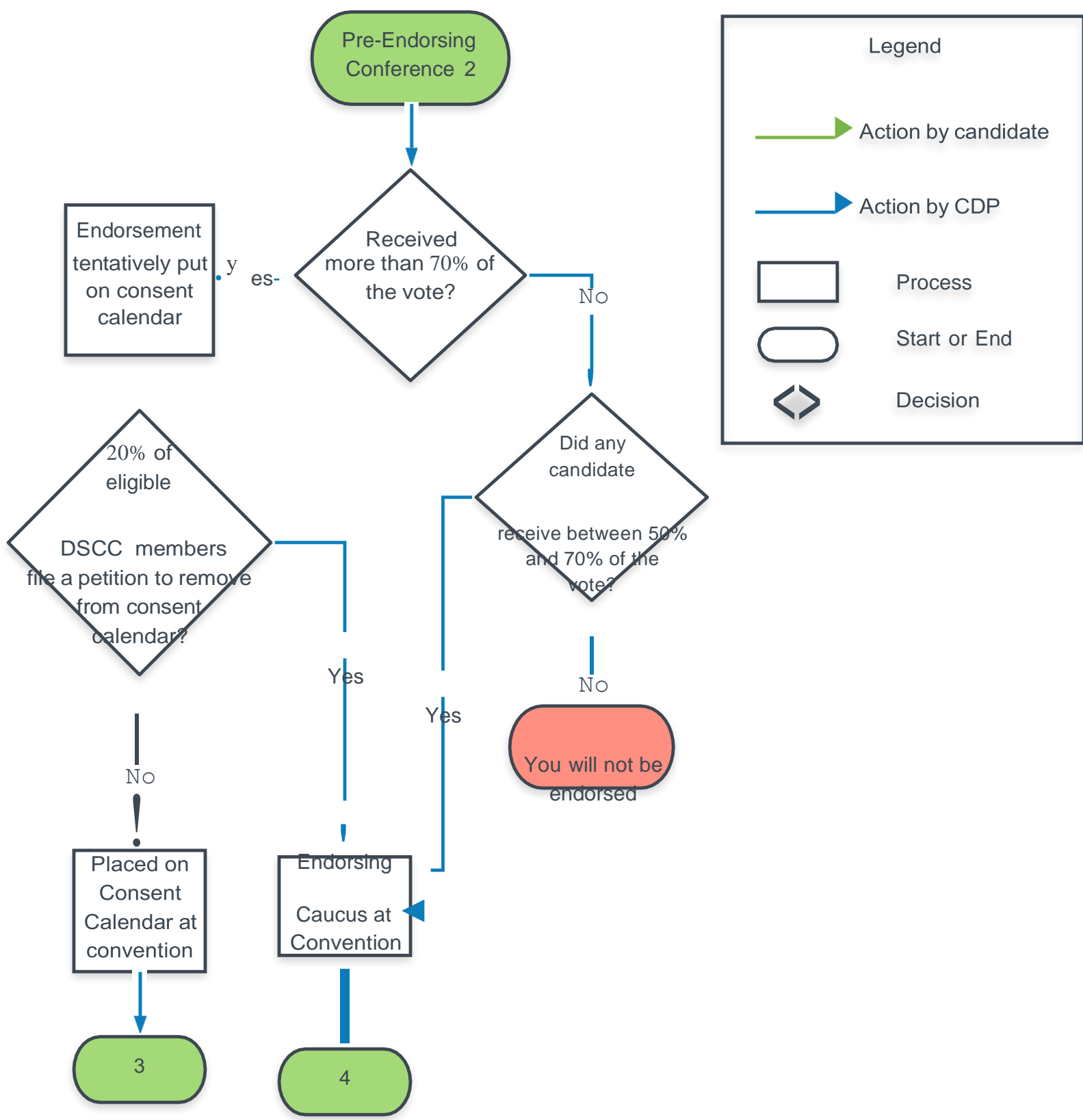
This Committee shall not in any way support or endorse a candidate who has sought endorsement by a law enforcement organization, or those with leadership positions in law enforcement organizations, after May 25, 2020, the date of the murder of George Floyd by a police officer.

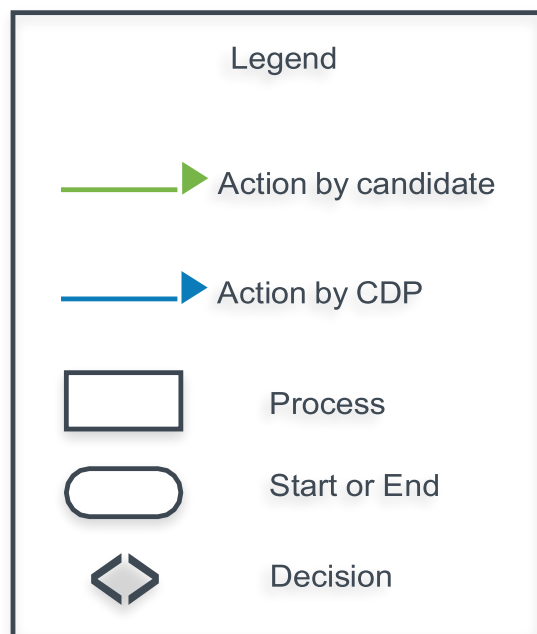
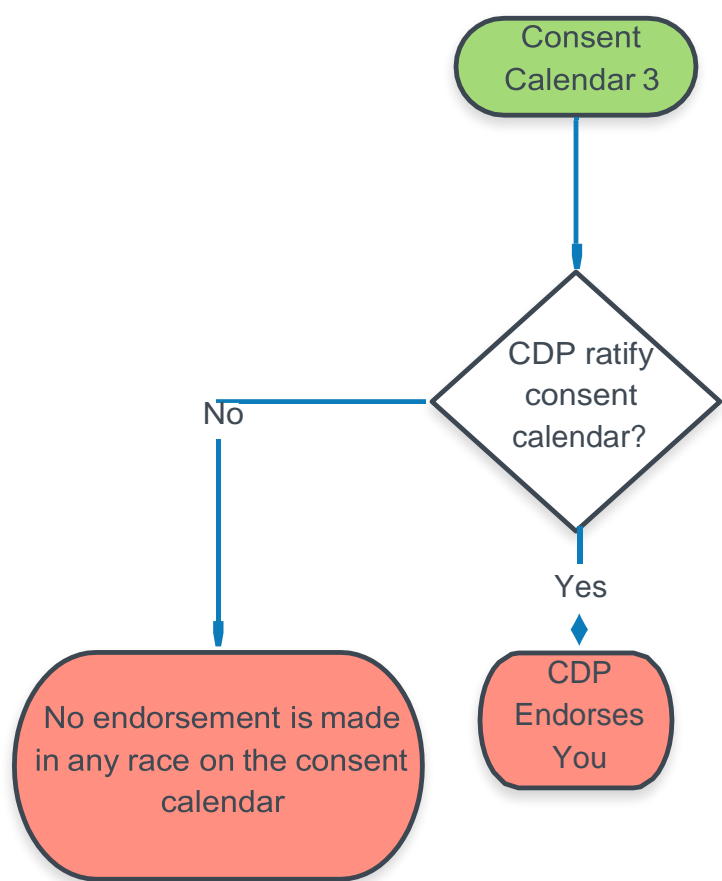
Adding Section 1(n)

This Committee shall not in any way support or endorse a candidate who has accepted financial contributions from fossil fuel organizations, or more than \$99 from those with leadership positions in fossil fuel organizations, after the November 2018 Camp Fire, caused by the criminal conduct of PG&E that led to at least eighty-five deaths and billions of dollars in property damage. Fossil fuel organizations shall be defined as those companies that have significant operations in the exploration, extraction, refining, processing or distribution of oil, coal or gas, including electrical utilities that transmit energy generated by oil, coal or gas.

After some discussion there was no motion to adopt this proposal for recommendation.







Endorsing
Caucus 4

Get 2/3rds
or more of the
vote?*

Yes

No

Legend
Action by candidate

Action by CDP

Process

Start or End

Decision

10
members
of caucus** or
2 members of the
PERC
challenge?

Yes

No

Did you
receive more than
60%?

NO+-

You will not be
endorsed

*Note that
proxies are
permitted, VBM
is not

**10 for
Assembly
races, 20 for
Senate and
Congressional
races

Pre-Primary
Endorsement
Review
Committee
(PERC)
convened

Placed on
Consent
Calendar at
convention

No-

300 DSCC
members
challenge?

Yes

Yes

5

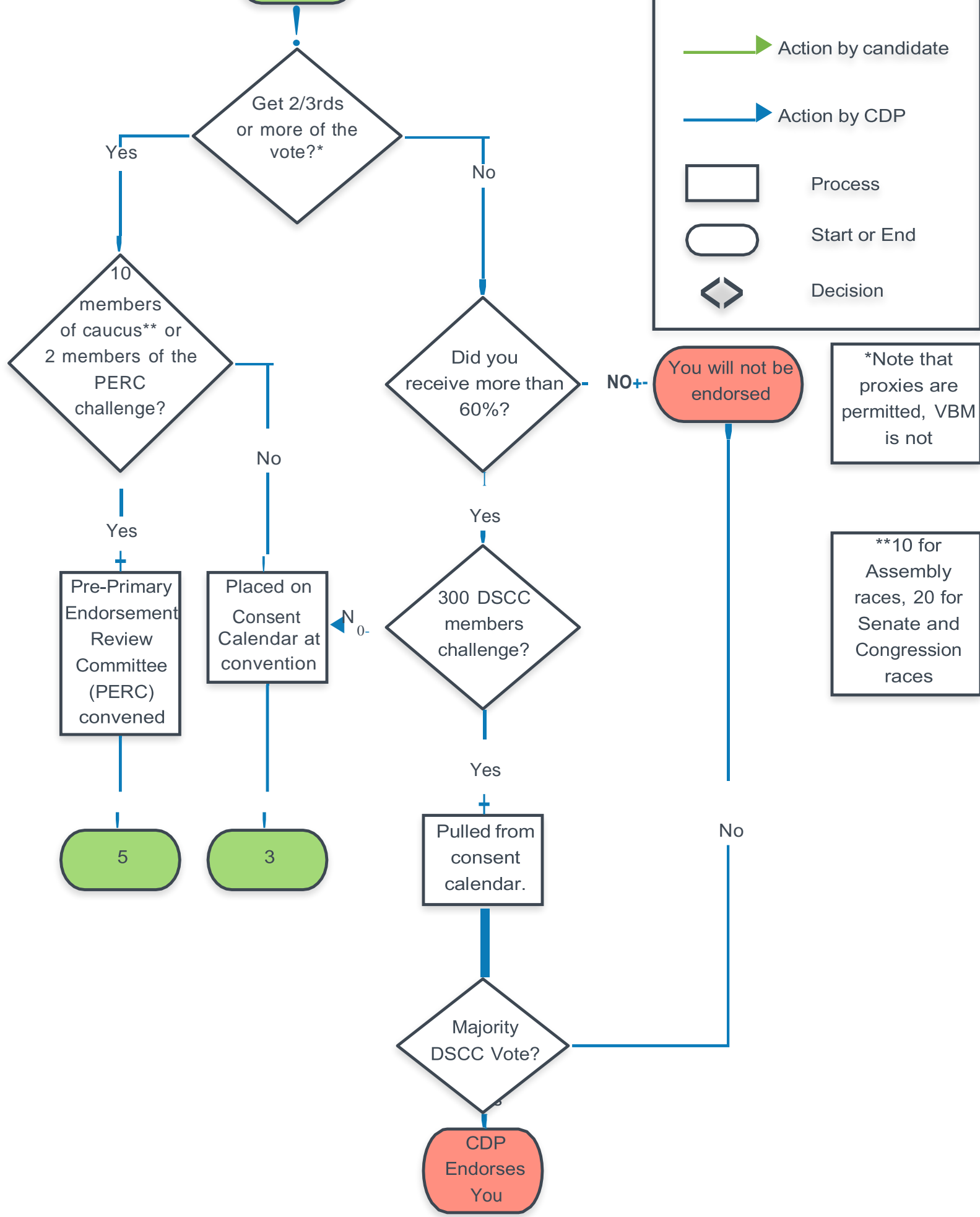
3

Pulled from
consent
calendar.

No

Majority
DSCC Vote?

CDP
Endorses
You



PERC
Committee 5



Placed on
Consent
Calendar at
convention

No

3

Pulled from
consent
calendar.

Yes

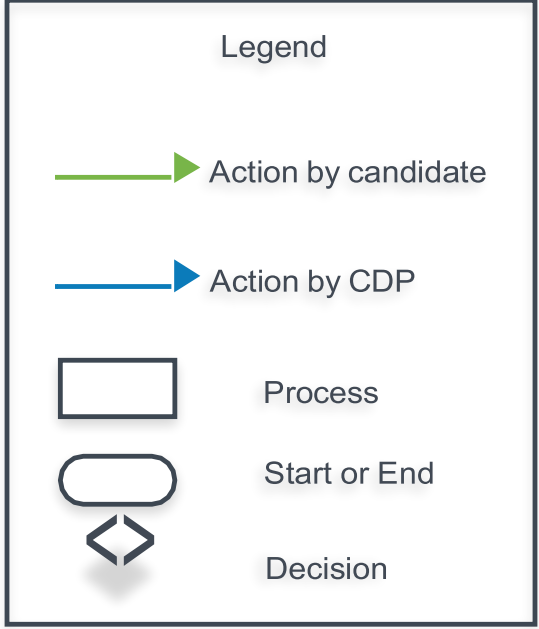


No

You will not be
endorsed

Yes

CDP
Endorses
You



PROPOSED BYLAW AMENDMENTS

**Proposal by Dina Doll to
amend and Restate Article
XIII, Section 3(c)4**

Amend and Restate Article XIII, Section 3(c)4 as follows:

Each candidate seeking the endorsement of the California Democratic Party shall be mailed or provided via email, a copy of the Code of Conduct and the CADEM Campaign Financial Disclosure. All candidates seeking the endorsement of This Committee under Article VIII, Section 3, shall (i) shall affirm in writing that they have read and agreed to abide by, the Code of Conduct; and (ii) complete and submit the Campaign Financial Disclosure to this Committee.

CADEM Campaign Financial Disclosure

Candidate: Last name _____ First name _____

Cell phone: _____ Email: _____

Candidate for: Title _____ District _____

Campaign address: _____

Campaign Treasurer: Last name _____ First name _____

Cell phone: _____ Email: _____

Financial Disclosure:

What contributions will the campaign solicit and accept? Check the options that apply to the campaign. If 2, provide additional information.

- ___ 1. The campaign will be self-funded and will not solicit or accept contributions.
- ___ 2. The campaign will solicit and accept individual contributions, [but] will not solicit or accept PAC [define] or corporate contributions [define].
- ___ 3. The campaign will solicit and accept individual, PAC and corporate contributions.

[If option 3 is selected, please provide the name and address of the PAC and corporate entities below:]

PACs: _____

Corporations: _____

**Proposal by Garry Shay to
amend CDP Bylaws, Article
X, (Charters), Section 2
(Granting)**

CDP Bylaws, Article X, (Charters), Section 2 (Granting)

d. Charter shall only be granted upon recommendation of the ~~Organizational Development~~ Rules Committee pursuant to guidelines adopted by the Rules Committee.

**Proposal by Marcy Wingard
to make procedural changes
to the Legislation Committee
Procedures that may possibly
be in conflict with campaign
laws**

Good Morning Garry and Coby,

In submitting Rep Barbara Lee's [H.R. 255](#) (Repeal AUMF) to the Leg Committee, I ran into an issue with a portion of the [guidelines](#) that may be in conflict with campaign laws --or at least interpreted as such. Please read over #3 and consider revising the guidelines to delete the last part of #3:

(15) days notice must have been given to the proposed legislation's author or their chief of staff if the Legislation Committee intends to consider a position in opposition the proposed legislation for consideration; and have written approval (which may be by email) of the legislation's author or chief of staff if the Legislation Committee intends to consider a position in support of proposed legislation sponsored by a Democrat

My understanding is that a Chief of Staff is not supposed to be involved in party organizing and, therefore, will avoid sending any such communication as required above. My reading of the above says that whether a submitter is in opposition OR support, the submitter is required to give the Leg Committee a letter from the Congress person or their Chief of Staff.

I would humbly suggest this be revised to either drop the intended requirement entirely or replace it with Campaign Finance Director or Campaign Manager--so that the letter comes from the campaign side, not the Congress person's office. I think this would be wise if we want to ensure that we protect our reps from any possible accusations involving conflicts.

I did discuss this briefly with Unique. Thanks so much for your consideration. Warm regards,

Marcy Winograd

**Proposal by Susie Shannon
to make procedural changes
to Resolutions Committee
Procedures to all for email
submissions**

I would like to submit a rules change for the submission of CDP Resolutions.

I ran into a glitch on the online form and could not submit that way.

There was no way to send to the office at the Sacramento address by the submission deadline, so I submitted via email as the only way to meet the deadline. It will not be accepted.

We need to allow for email submissions, or another avenue to submit via online when the form breaks down.

This is not the first time I have run into a problem with the online form. We must have another option to submit timely resolutions, outside of snail mail, recognizing that these technological systems do break down.

When I started at the CDP, we submitted via email. Please advise on how to submit this rules change. Thanks so much.

Warm regards,

Susie

Here is the rule:

Resolutions may be submitted two (2) ways: via online submission form (preferred & recommended method) or mailed to the CDP Sacramento office at 1830 9th Street, Sacramento, CA 95811. Online submission is the safest way to ensure your submission is received. Resolutions submitted via email will not be accepted.

**Proposal by former
Organizational Development
Committee Chair Royce
Kelley - report on revisions
to the Chartering Guidelines
adopted by O&D Committee
May 1, 2021**

California Democratic Party

Organizational Development Committee

Preliminary Report on Revision of the Chartering Guidelines

Adopted and Referred to Rules Committee 4-30-21

Background

In November, 2002 the Bipartisan Campaign Reform Act of 2002 took effect. It substantially changed the operation of political party committees nationally, including the California Democratic Party (CDP).

The increased scrutiny of party committees under this law prompted a review by the CDP of its structures, especially the ways in which units of the party raised and spent money.

One outcome of that review was a radical substantial rethinking of the existing Assembly District Committees. Those were units created by the CDP which had been granted significant fiscal autonomy, a situation that opened the CDP up to potential liability for campaign finance reporting violations.

Ultimately Assembly District Committees were replaced in their function as a source of members of the Democratic State Central Committee by Assembly District Election Meetings and new, independent, structures were envisioned to carry out all the other functions of the old Assembly District Committees.

These new structures were incorporated into a group of new, affiliated units called "chartered organizations." Guidelines for their chartering were adopted by the Rules Committee in 2006. Those original Guidelines have not been updated since 2006 and are still in effect.

The Organizational Development Committee is charged with recommending to the Rules Committee any changes or revisions to the Guidelines. This report is a first step in formulating such proposals.

Issues

Our Committee's work over the years in reviewing and granting charters has surfaced a number of issues where revision of the Guidelines may be in order. Additionally, the parallel work of the Rules Committee as it updates its requirements and procedures for certifying/re-certifying caucuses raises other new issues to consider in revising the Guidelines.

We list here a number of the issues that have come to our attention so far and include suggested actions:

A. Conflict with current Bylaws – the CDP bylaws on Chartering have been amended since the adoption of the Guidelines (in particular, Art.X, Sec. 2 (c)) – revise the Guidelines to conform.

B. Inconsistency between conditions for revoking and granting charters – (1) a charter may be revoked if an organization has fewer than 30 members but there is no requirement that they have 30 members initially to be chartered; (2) a charter may be revoked if an organization endorses against CDP endorsements but, while there are requirements for a number of items to be included in a chartered organization’s bylaws, they are not required to include this ban among them – amend the bylaws and/or revise the Guidelines to include the relevant conditions for granting charters.

C. Preference for chartering district level organizations at the Assembly District level – our most active district level group currently is organized for a Congressional District, not an Assembly District (the Assembly District provision appears to be a holdover from the previously existing Assembly District Committees and does not reflect current electoral priorities) – amend the bylaws and/or revise the Guidelines to remove the preference for organizing at the Assembly District level.

D. Term of charters – charters other than district level are currently granted for a period of up to four years (Bylaws, Art. X Sec. 2 (c)); in the case of Democratic Clubs (which may be chartered by the CDP under certain circumstances) this is at variance with the typical term of charters by County Committees – amend the bylaws and/or revise the Guidelines to limit the term of these charters to term the County of jurisdiction would grant.

E. Clubs comprising Councils of Clubs – currently clubs affiliated with Councils must be chartered by County Committee; clubs chartered by the CDP due to failure of a County Committee to grant a charter are excluded – amend the bylaws and/or revise the Guidelines to include those CDP chartered clubs.

F. Expiration of district level charters – this provision is in the section of the bylaws on “revocation”; this placement appears to be a holdover from before amendments ending the granting of charters in perpetuity were adopted and now simply makes for less clarity – amend the bylaws and/or revise the Guidelines to move to the section on “granting”.

G. Disbanding of chartered organizations – currently there is no provision for chartered organizations to voluntarily disband; in order for them to cease to exist, their charters must be revoked for cause – amend the bylaws and/or revise the Guidelines to allow for organizations to disband.

H. Process/timeline for granting charters – currently organizations seeking to be chartered must take certain steps (applying for FEC/FPPC numbers, for example) that require them to use some form of the word “Democratic” in their names without having yet been chartered; additionally, some groups may only need to take technical actions to complete their chartering, actions which would not reasonably be impediments to their ability to operate – amend the bylaws and/or revise the Guidelines to break the chartering process into a series of steps, such as: 1) information (perhaps at a pre-application stage); 2) application under review (which might include some form of conditional chartering); and 3) full granting.

I. Organization of the Guidelines – currently the Guidelines contain a mixture of stipulations, requirements for bylaw language, and mandates to produce documents on the part of the applying organization as well as findings to be made by the Organizational Development Committee; these items occur at various places in the Guidelines and are not necessarily each called out as requirements for chartering – amend the Guidelines to bring similar items together, listing them as needed items to complete the applicant’s chartering (see attached Checklist for examples).

Next Steps

After review and adoption of this report by the Organizational Development Committee, we look forward to working with the appropriate sub-committee of the Rules Committee to develop specific Bylaw and Guideline language to implement these recommendations.

**CDP ORGANIZATIONAL DEVELOPMENT COMMITTEE
Chartering Checklist**

Name of Organization: _____

General Provisions – For All Organizations

Has the Organization submitted:

	YES	NO
The identification number(s) used by the organization when filing statements with the Secretary of State, the Fair Political Practices Commission, and/or the Federal Elections Committee		
A copy of the Constitution and By-Laws of the organization, and if applicable, its Articles of Incorporation		
A Statement of Purpose and Intended Activity, and means of effectuating same		
The names, addresses, and phone numbers of the organization's officers including as a minimum a chair and a treasurer		
The names, addresses, and phone numbers of all persons listed on the Statement of Organization		
A charter fee in the sum of \$50.00		

Did the Organization:

	YES	NO
Agree that the Organization shall provide the Secretary of This Committee and the Chair(s) of the Organizational Development Committee a written report on the Organization's activities and progress towards fulfillment of the Organization's purposes, as evidenced through objective measures or standards on an annual basis, no later than February 7th of each year		
Certify that each of its members is a registered Democrat by written certificate signed by the Chair and one additional officer of the organization		

State in its bylaws that it subscribes to the principles set forth in the General Provisions of the Bylaws of This Committee		
Agree that the Organization shall provide the Secretary of This Committee and the Chair(s) of the Organizational Development Committee a complete "Roster of Members" containing the names, addresses, and phone numbers of all its members, noting whether a particular member has organizational responsibility for a particular activity, on an annual basis, no later than February 7th of each year		
Agree to keep current and advise This Committee of any changes therein of the names, addresses, and phone numbers of the organization's officers		
Agree that it will give ten (10) days written or electronic notice of any and all of its meetings, both regular and special, to the Secretary of This Committee, who shall distribute such notice to the Chairs of the Organizational Development Committee		

Has the Organizational Development Committee found that:

	YES	NO
There are no existing organizations serving the same or similar purposes and/or jurisdiction chartered by This Committee or other authorities		
The Organization has established objective, measurable standards by which the Organization shall evaluate its success each year		
The Organization has as its objective the advancement of the Democratic Party		
The Applicants for charter have exhibited a demonstrated commitment to inclusion and have a clear history of dedication to Democratic Party principles and practices, and will maintain said qualities in all of their activities		
Granting the application would be in the overall best interests of the Party		

For District and Area Organizations Only

Did the Organization:

	YES	NO
Indicate in its bylaws and application for charter that its primary purpose is to actively engage in political organizing on the precinct level as well as other forms of electoral political activity		

Has the Organizational Development Committee found that:

	YES	NO
This Committee has not chartered another District or Area based organization in this particular geographic area		
All members of This Committee’s Executive Board resident in the geographical area concerned were provided written or electronic notice of intent to consider an application for charter and be invited to provide written testimony either in support or opposition to the application		

For Statewide Organizations Only

Has the Organizational Development Committee found that:

	YES	NO
This Committee has not chartered another organization representing or sharing substantially similar interests		
Chairs of Caucuses certified under Article III, Section 9, of the Bylaws of the CDP were given written or electronic notice of any application for charter by a Statewide Organization representing or sharing substantially similar interests as their caucus, and were be invited to submit written testimony either in support or opposition to the application		

For Democratic Clubs Only

Did the Organization:

	YES	NO
Include in its applications a clear explanation and/or documentation of the extraordinary circumstances justifying the intervention of This Committee in what is generally considered a local County Central Committee function		

Has the Organizational Development Committee found that:

	YES	NO
A local County Central Committee has declined to charter the organization, or delayed such charter for an unreasonable period of time		
The County Central Committee Chair and Executive Board representatives of said county (if any) were given written or electronic notice and invited to submit testimony to the Organizational Development Committee		
EITHER no County Central Committee is organized in the relevant county OR the County Central Committee in the relevant county has a policy of not issuing such charters OR extraordinary circumstances exist		

For Councils of Democratic Clubs Only

Has the Organizational Development Committee found that:

	YES	NO
The Democratic Clubs comprising the Council represent or share substantially similar interests		
The Council consists of at least three (3) individual clubs that have been chartered by local County Central Committees		
The Democratic Clubs comprising the Council are geographically diverse		

**PROPOSAL BY EHAB
SHEHATA ARTICLE II
(MEMBERSHIP),
SECTION 3.C
(APPOINTED MEMBERS)**

Rules Testimony

Reference #	11770880
Status	Complete
First Name	Ehab
Last Name	Shehata
Phone Number	3016552589
Email Address	ehabshehata2002@yahoo.com
Are you a CDP Delegate (DSCC Member)?	Yes
Please select the appropriate Subcommittee:	Miscellaneous Issues
Please select the item for which you would like to submit testimony (please select one):	Testimony to Officers, Elections, Duties, Etc Subcommittee
General Comments or suggestions	To decrease the number of appointed members under article II section 3 subsection c
Please suggest exact language	to change "30" to "28"
Please let us know why you think this change is necessary:	To decrease the power differential between the various classes of members.
Additional Comments (if needed)	thank you
Last Update	2021-07-03 16:11:15
Start Time	2021-07-03 16:03:38
Finish Time	2021-07-03 16:11:15
IP	76.176.17.231
Browser	Safari
Device	Desktop
Referrer	N/A

**SUBCOMMITTEE AND
CAUCUS
RECERTIFICATION
GROUPING**

SubCommittees	Chair	Vice Chair	Member 1	Member 2	Member 3	Member 4	Member 5
ADEMS	Coby King	Nicole Fernandez	Kathy Bowler	Mcclina Woods	Robin Torello	Sarah Souza	Katie Jaycox
Caucuses	Laurence Zakson	Jimmie Woods-Gray	Jose Alcala	Olivia Lee	Andrea Cardenas	Nick Schultz	Izeah Garcia
Endorsements	Kathy Bowler	Coby King	Glenn Glazer	Bill Wong	Martha Escutia	Valeria Hernandez	Kenneth Armstrong
Miscellaneous	Valeria Hernandez	Mcclina Woods	G. Anthony Phillips	Laurence Zakson	Suzanna Aguilera-Marrero	Garry Shay	Peter Gallotta
County Bylaws	Steven Alari	Robin Torello	Mcclina Woods	Izeah Garcia	Olivia Lee	Abigail Kingsley	Glenn Glazer
Standing Committees	Garry Shay	Olivia Lee	Jimmie Woods-Gray	Bill Wong	Anita Narayana	Sepi Shyne	Nicole Fernandez
Officers, Elections, Duties, ETC.	G. Anthony Philips	Izeah Garcia	Kathy Bowler	Bill Wong	Laurence Zakson	Harris Mojadedi	James Williams
Caucus ReCertification Grouping	Chair	Vice-Chair	Member 1	Member 2	Member 3	Member 4	
Caucus Group A	Irish, Women's, Filipino, and LGBT	Jose Alcala	Martha Escutia	Izeah Garcia	Sepi Shyne	Jimmie Woods Gray	
Caucus Group B	Disabilities, Environmental, Senior, and Rural	Garry Shay	Anita Narayana	Katie Jaycox	Suzanna Aguilera-Marrero	Harris Mojadedi	
Caucus Group C	African American, Chicano/Latino, Veterans, and Progressive	Laurence Zakson	Bill Wong	Olivia Lee	Robin Torello	Andrea Cardenas	
Caucus Group D	Business & Professions, Arab American, Computer & Internet, Labor	Nicole Fernandez	G. Anthony Phillips	James Williams	Glenn Glazer	Abigail Kingsley	Mcclina Woods
Caucus Group E	Asian Pacific, Childrens', Native American	Kathy Bowler	Steven Alari	Kenneth Armstrong	Sarah Souza	Nick Schultz	Peter Gallotta

**SUB-COMMITTEE ASSIGNMENTS
AND
REFERRALS
AS OF AUGUST 23, 2021**

SubCommittee	Lead Chair Sub Committee	Co-Chair SubCommittee	Members	Matters Referred	Attachments
ADEMS	King	Fernandez	Bowler, Jaycox, Souza, Torello and Woods	Use of Registration Code to confirm receipt and counting of vote; Consideration of Extending participation to those unable to Register as Democrats.	Exhibit A
CAUCUSES	Zakson	Woods Gray	Alcala, Cardenas, Garcia, Lee, and Schultz	Review of Certification Procedures and CDP Bylaws; Streamlining of Process. (See motion adopted).	Exhibit B
COUNTY BYLAWS	Alari	Torello	Garcia, Glazer, Kingsley, Lee and Woods	None	
ENDORSEMENTS	Bowler	King	Armstrong, Escutia, Glazer, Hernandez, Wong	Endorsement proposal due to delays in the completion of the 2020 Census; Ramos Proposal on Timing of Special Election Endorsing Caucus; Ramos Proposal on Judicial Retention Elections	See Subcommittee Report
MISCELLANEOUS	Hernandez	Woods	Aguilera-Marrero, Gallotta, Phillips, Shay, and Zakson	Number of Executive Board Meetings	Exhibit C
OFFICERS, ELECTIONS, DUTIES, ETC	Phillips	Garcia	Bowler, Mojadedi, Williams, Wong and Zakson	Removal of Officers proposal; Larimore-Hall proposal on restructuring (See motion adopted).	Exhibits D
STANDING COMMITTEES	Shay	Lee	Fernandez, Narayana, Shyne, Wong and Woods Gray	CYD Ambassadors Proposal; Scoville Proposal (and Committee Procedural Rules; Standing Committee Charges	Exhibit E

EXHIBIT A

CDP Bylaws, Article VI, Section 1.i(4):

Motion Referred back to Subcommittee on ADEMs

22yes / 2no:

Add subsection 4

4) Each voter in an ADEM election may use their registration code to confirm via a searchable online system maintained by this committee that their vote has been received and counted. Such Information shall be available at the time that the ADEM results are released.

EXHIBIT B

The following motion was adopted by the Rules Committee at its meeting of November 15, 2019:

“ The Subcommittee on Caucuses is charged with: conducting a review of the most recent Caucus certification/recertification/decertification process; identifying issues, concerns, bottlenecks, and successes; identifying guidelines or bylaws provisions that caused confusion or were the source of uncertainty; and reporting on its findings and its recommendations for changes to the bylaws, guidelines, processing procedures or forms aimed at resolving any concerns identified, as well as improving or streamlining the process.

“The Subcommittee on Caucuses is also charged with reviewing the initial certification process to identify any guidelines or bylaws provisions that have been the source of uncertainty or other difficulty and reporting its recommendations for changes to the bylaws, processing procedures or forms aimed at resolving any concerns identified, as well as improving or streamlining the process.”

Below are the CDP Bylaws on caucuses.

The Guidelines Can Be Found Here:

[HTTPS://CADEM.ORG/WP-CONTENT/UPLOADS/2020/12/OFFICIAL CAUCUS GUIDELINES-2018.PDF](https://caDEM.org/wp-content/uploads/2020/12/official-caucus-guidelines-2018.pdf)

Links to the Application and Other Related Documents:

[HTTPS://CADEM.ORG/OUR-PARTY/STANDING-COMMITTEES/RULES-COMMITTEE/](https://caDEM.org/our-party/standing-committees/rules-committee/)

CDP BYLAWS:

ARTICLE XI: SPECIAL GROUP CAUCUSES

Section 1. DEFINITION

A caucus is a statewide organization:

- a. Which is a constituent part of This Committee, governed by its decisions, and may not take official positions on legislation, resolutions, or other matters, which are contrary to positions taken by This Committee, but may call on This Committee to take action.

- b. Consisting of Caucus Sponsors, who are members of the Caucus and of This Committee, constituting at least one percent (1%) of the full membership of This Committee,
- c. Which extends membership to persons of voting registration/preregistration age (as defined in the Elections Code), who meet the eligibility requirements for Caucus membership, and who are either (i) registered Democrats or (ii) ineligible to register as Democrats, but who have expressed an intent to register as a Democrat upon becoming eligible. And which extends full voting rights to all such persons who meet the voting requirements of that Caucus.
- d. Which has been found to be in compliance with the requirements noted herein and has also been found to meet the Guidelines for Certification or Re-Certification of Caucuses referred to below, based on a review of the application and investigation by the Rules Committee, whose findings shall be conclusive unless reversed by a majority of the Executive Board,
- e. Which has been considered for certification by the Rules Committee and has been certified by the Executive Board of This Committee in order to carry out the Purposes noted herein,
- f. Whose Chair is a member of This Committee, and by virtue of the Caucus being certified, shall be a member of the Executive Board of This Committee, and
- g. If not initially certified prior to 1/1/10, the Caucus' Sponsors are DSCC members, who represent a common identity, demographic or interest which is historically or currently under-represented in Democratic Party affairs and cannot adequately be represented in Democratic Party affairs by a current caucus or chartered organization, and which has provided a reasonable explanation, determined to have been supported by clear and convincing evidence, as to why Chartering as a Statewide Organization under Article X of these Bylaws, would not be a more appropriate course of action

Section 2. PURPOSE

The purpose of a caucus is to:

- a. Participate in the policy decisions of the Party, by, among other things, proposing Resolutions to the Resolutions Committee, Legislation to the Legislation Committee, bylaw amendments to the Rules Committee, or other such proposals to other Standing Committees, or to the Chair of This Committee, as may be necessary to carry out its goals and objectives. No Caucus may take independent positions on such matters which are contrary to the positions of This Committee, provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses from calling on the California Democratic Party to take any action;

- b. Encourage participation, within the Caucus' community of interest, in the outreach programs of the Party, including such things as This Committee's Voter Registration and Get Out the Vote activities;
- c. Promulgate and implement a Statement of Purpose and Intended Activity, aimed at expanding and strengthening the Party, subject to approval by the Rules Committee; and,
- d. Make the Party more welcoming and more relevant to members of the public, the electorate, and This Committee, who identify with the goals of the Caucus.

Section 3. GUIDELINES FOR CERTIFICATION, RE-CERTIFICATION, AND DECERTIFICATION OF CAUCUSES

The Rules Committee shall promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses, which shall include the process and conditions necessary to certify, re-certify, or decertify a caucus. These Guidelines shall include, as a condition of Certification and Re-Certification, a requirement that Caucuses adopt the Code of Conduct and make information about reporting process for violations of the Code of Conduct readily available to members.

Section 4. CERTIFICATION / RE-CERTIFICATION

Certification, and re-certification, shall be subject to the following provisions:

- a. Form of Application – All organizations desiring to be certified, or re-certified, by This Committee as a caucus shall make application for such certification in writing on a form obtained from the Secretary of This Committee.
- b. Submission of Application – Application for Caucus Certification, or Re-certification must be submitted to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email addresses designated for this purpose, within forty-five (45) days after the first meeting of the Convention of This Committee in the year in which the Caucus is intended to be re-certified or initially certified. No application submitted outside that time-frame shall be considered.
- c. Acknowledgment of Receipt of Application – The Secretary of This Committee shall acknowledge receipt of the application within five (5) business days of determination of receipt, and send confirmation thereof, to the Chair of the Caucus, or proposed Caucus, to the email address designated for this purpose. This acknowledgment shall also list the documents received and identify any missing, or obviously deficient, documents or information necessary for the Rules Committee to determine certification or re-certification, other than bylaws provisions. Such deficiencies in documentation or

information may be corrected via amended application within sixty (60) days after the first meeting of the Convention of This Committee in the year in which the Caucus is intended to be re-certified or initially certified.

- d. Time-line for Consideration of Application; Notice of Deficiencies – No later than forty-five (45) days prior to the expiration of the term of Official Certification, or in the case of a proposed new caucus the second meeting of the Executive Board of This Committee held after submission of the application, a Chair of the Rules Committee of This Committee designated for this purpose, shall notify the Chair of the Caucus, or proposed Caucus, in detail, of any deficiencies in documentation or information, including the substance of any amendments to Caucus Bylaws necessary to bring the Application into compliance along with the proposed recommendation regarding certification or re-certification.
- e. Failure to Provide Timely Notice of Deficiencies by the Rules Committee – Absent agreement to the contrary by the Rules Committee, failure to give timely Notice of Deficiencies shall be considered as a recommendation for Certification by the Rules Committee and allow the Chair of the Caucus, to make a motion for a specific finding of compliance with the Guidelines for Certification, Re-Certification, and Decertification of Caucuses by the Executive Board of This Committee and Certification of the Caucus, provided fifteen (15) days notice of intent to make such motion is first given to the Secretary of This Committee, and to the Chair(s) of the Rules Committee of This Committee, at the email addresses designated for this purpose.
- f. Recommended Action on Application – The Rules Committee of This Committee, shall make a recommendation regarding action on the application to the Executive Board of This Committee, prior to the expiration of the term of Official Certification, or in the case of a proposed new caucus the second meeting of the Executive Board of This Committee held after submission of the application.
- g. Contents of Application – The application shall contain such information as may be required by the Rules Committee.

Section 5. TERM OF CERTIFICATION

Beginning 1/1/15, official Certification of a Caucus shall extend through the second meeting of the Executive Board of This Committee held following the:

- a. Next regular general election, or until revoked for cause as set forth herein, for all initial certifications, and
- b. Next regular meeting of This Committee at which endorsements for Governor may be considered, or until revoked for cause as set forth herein, for all re- certifications.

Section 6. DECERTIFICATION

After notice and an opportunity to be heard, and upon a finding by the Rules Committee that

a certified caucus has failed to:

- a. maintain compliance with the above,
- b. adopt or maintain the Code of Conduct as part of its own bylaws with a provision that each member is bound by its terms, and/or
- c. has willfully, intentionally, or repeatedly failed to address violations of the Code of Conduct within the caucus,

the Executive Board of This Committee may decertify a Caucus by majority vote. In the event the Rules Committee should make a finding of non-compliance with the Guidelines, it shall report a recommendation to de-certify the Caucus specifically noting the grounds and basis for its decision. Such recommendation may only be overturned by the Executive Board of This Committee, by majority vote, but only if the Executive Board makes specific findings that the Rules Committee was incorrect in each of its findings that formed the basis of the Rules Committee's recommendation to decertify, or that all such defects have been remedied.

Section 7. RECOGNITION OF HISTORICAL IMPORTANCE

This Committee recognizes that the African American, Asian Pacific Islander, Chicano Latino, Labor, LGBT, and Women's Caucuses were the original six caucuses certified pursuant to the definition contained in the 1985-7, or prior, Bylaws, defining a caucus as "ethnic minority members or other broad elements of the membership" and as such recognizes the historical significance in maintaining their existence.

EXHIBIT C

TO: Rules Committee, California Democratic Party

FR: Sub-Committee on Miscellaneous Issues: Garry S. Shay, Sub-Committee Co-Chair; Mary Strobridge, Sandra Andrews, Drexel Heard II, Phillips, Laurance Zakson, Brooke Pritchard; and ExOfficio Member Co-Lead Co-Chair, CDP Rules Committee Kathy Bowler

RE: Report of the Sub-Committee on Miscellaneous Issues

DA: 11 March 2021

The Sub Committee reviewed the last Sub-Committee and Rules Committee Minutes and Packets, and the matters which were referred to our Subcommittee, as well as the input received from others, and took the following actions:

I. Number of Executive Board Meetings

M/S/P Postponed to a time certain; that time being to a subcommittee meeting scheduled after the 2021 Convention

This amendment would eliminate the current requirement that the Executive Board meet three times in each calendar year and would instead require that the Executive Board meet twice in each calendar year except in years in which the State Convention meets more than once.

See Exhibit A

II. Proposal to amend the CDP Bylaws Article II regarding membership of and appointments by the US President and/or Vice President to the DSCC if registered as a Democrat in the state of California

M/S/P to adopt

See Exhibit B

END OF MEMO

NUMBER OF EXECUTIVE BOARD MEETINGS

Adopted at the Rules Committee meeting held on November 15, 2019; Presented to Executive Board July 26, 2020, and Postponed to Time Certain, 11/11/2020; Referred Back to Rules Committee 11/11/2020 and Miscellaneous Issues Sub Committee:

Author's Explanation: This amendment would eliminate the current requirement that the Executive Board meet three times in each calendar year and would instead require that the Executive Board meet twice in each calendar year except in years in which the State Convention meets more than once.

Author's Rationale: This amendment updates the bylaws to reflect current practice.

Amend Article VII, Section 4, as follows:

ARTICLE VII: EXECUTIVE BOARD

* * *

Section 4. EXECUTIVE BOARD MEETINGS

- a.** The Executive Board shall convene in regular meetings at least ~~three~~ two times in each calendar ~~year.~~ year, or at least one time in each calendar year in which This Committee convenes more than once. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same county.

EXHIBIT D

California Democratic Party Rules Sub Committee on Officers, Elections, Duties, Etc

Agenda

Tuesday, June 15, 2021 at 7:00pm

I. Roll Call

II. Meeting Called to Order

III. Adoption of Meeting Agenda

IV. Ramos Proposal on Removal of Officers – (Additional Testimony if Any)

This amendment proposes allowing removal charges filed against an officer to be considered by the next regular State Convention, or a specially called Executive Board meeting or State Convention.

Rationale: After Vice Chair Daraka Larimore-Hall filed charged against former Chairman Bauman in November 2018, it became apparent that the first opportunity to vote on the removal charges would be the next regular Executive Board meeting in August 2019—nine months after the charges were filed. This results as the bylaws require charges be considered at the next regular Executive Board meeting, not the next regular State Convention if one would occur prior the next regular Executive Board meeting (as is the case in 2019), and not at a specially called Executive Board meeting or State Convention.

The author states, “Had former Chairman Bauman refused to resign and decided to fight the removal charges he would still be Chairman now, allowing his abuse to continue for nine more months. This amendment would fix this issue and allow officer removal charges to be considered by a regular or special meeting of the Executive Board or State Convention.”

See Exhibit A

V. Larimore-Hall Proposal on Restructuring – (Additional Testimony if Any)

This amendment proposes multiple and differing changes to the duties of the CDP Officers.

Rationale: The author states, "Compared to nonprofit membership organizations, unions and other groups that balance similar activities and goals as the CDP, there is very little counterbalance or offset to the authority of our board Chairperson. The Chair is described in the bylaws as the Party’s “Chief Executive Officer” and “Official Voice”, combining roles that in many organizations would be divided into two or more elected roles. As a result, the entirety of CDP’s staffed operations are under the sole management and discretion of the Chair. In addition, the volunteer activist-driven structures of the organization are also heavily influenced, and in some ways controlled, by the same person."

See Exhibit B

VI. New Business

VII. Adjournment – 9PM

Removal of Officers.

Author's Explanation: This amendment would allow removal charges filed against an officer to be considered by the next regular State Convention, or a specially called Executive Board meeting or State Convention.

Author's Rationale: After Vice Chair Daraka Larimore-Hall filed charged against former Chairman Bauman in November 2018, it became apparent that the first opportunity to vote on the removal charges would be the next regular Executive Board meeting in August 2019—nine months after the charges were filed. This is because the bylaws as currently written require that charges be considered at the next regular Executive Board meeting, not the next regular State Convention if one would occur prior the next regular Executive Board meeting (as is the case in 2019), and not at a specially called Executive Board meeting or State Convention called for the purpose of considering the charges expeditiously. Had former Chairman Bauman refused to resign and decided to fight the removal charges he would still be Chairman now, allowing his abuse to continue for nine more months. This amendment would fix this issue and allow officer removal charges to be considered by a regular or special meeting of the Executive Board or State Convention.

Amend Article III, Section 6, Subdivisions c and d by striking “meeting” and inserting “meeting or meeting of This Committee, or a special meeting of the Executive Board called for the purpose of considering removal”, by inserting “or special” after “At said next regular”, by inserting “This Committee or of” after “meeting of” and by inserting “a quorum of This Committee” after “voting at least”, as follows:

- d. The Secretary, within seven (7) days following receipt of the Answer or the deadline for receipt of the Answer, shall issue to the Filer a Petition, which shall include the Statement of Charges and the Answer. If, within sixty (60) days of the date of the mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition with the names and signatures of 20 (twenty) current Executive Board members, an item for Removal of Officer shall be placed on the agenda of the next regular Executive Board ~~meeting~~ meeting or meeting of This Committee, or a special meeting of the Executive Board or This Committee called for the purpose of considering removal, held at least seventeen (17) days after the submission of such Petition by the Filer to the Secretary. Written notice of this agenda item must be mailed to the Executive Board no less than ten (10) days prior to the Executive Board meeting.
- d. At said next regular or special meeting of This Committee or of the Executive Board, the item shall be the first item of business after the final credentials report. The Accused Officer may be removed by two-thirds (2/3) vote of all members present and voting, provided there is present and voting at least a quorum of This Committee or 33-1/3 percent of the membership of the Executive Board.

Updated CDP Bylaw Amendment Proposal - Andrés Ramos

- c. The Secretary, within seven (7) days following receipt of the Answer or the deadline for receipt of the Answer, shall issue to the Filer a Petition, which shall include the Statement of Charges and the Answer. If, within sixty (60) days of the date of the mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition with the names and signatures of thirty (30) current Executive Board members, an item for Removal of Officer shall be placed on the agenda of the next regular Executive Board ~~meeting~~ meeting or meeting of This Committee, or a special meeting of the Executive Board or This Committee called for the purpose of considering removal, held at least seventeen (17) days after the submission of such Petition by the Filer to the Secretary. When the Statement of Charges is filed by the Conduct Commission, no additional signatures are required and shall be considered as the Petition referred to herein. Written notice of this agenda item must be mailed to the Executive Board no less than ten (10) days prior to the Executive Board meeting. Where the basis of a Petition is an alleged violation of the Code of Conduct, constituting sexual misconduct, as determined by the Conduction Commission, a Special Meeting of the Executive Board may also be convened to consider the Petition. A special meeting for purposes of considering such a Petition may be called by the Conduct Commission in consultation with the Chair of This Committee. In such circumstances the Chair of This Committee, or in the case of a Petition accusing the Chair of such violation, the Secretary of This Committee, shall provide written notice by letter or electronic mail to the Executive Board at least seven (7) days in advance of such a special meeting.
- d. At said next regular or special meeting of This Committee or of the Executive Board, the item shall be the first item of business after the final credentials report. The Accused Officer may be removed by two-thirds (2/3) vote of all members present and voting, provided there is present and voting at least a quorum of This Committee or 33-1/3 percent of the membership of the Executive Board.

Bylaws proposals submitted by: Daraka Larimore-Hall, CDP Vice Chair

Part One: Introduction and Motivation

Compared to nonprofit membership organizations, unions and other groups that balance similar activities and goals as the CDP, there is very little counterbalance or offset to the authority of our board Chairperson. The Chair is described in the bylaws as the Party's "Chief Executive Officer" and "Official Voice", combining roles that in many organizations would be divided into two or more elected roles. As a result, the entirety of CDP's staffed operations are under the sole management and discretion of the Chair. In addition, the volunteer activist-driven structures of the organization are also heavily influenced, and in some ways controlled, by the same person.

Operational decisions that are the Chair's alone:

- Makes all personnel decisions, staff structure, wages, benefits, and hiring policy
- Sets terms of coordination with Federal, State, local and initiative campaigns, including joint fundraising and shared voter engagement programs.
- Ethical questions surrounding political contributions

Organizational decisions that are the Chair's alone:

- Appoints all members of Standing Committees (300+ positions)
- Appoints all chairs and secretaries of Pre-Primary Endorsement Caucuses and approves locations.
- Appoints all ADEM caucus convenors and approves locations.
- Adds additional members to all Endorsement Review Committees.
- Formation of and appointment to Special Committees

Other than responsibility for occasional reports, and a seat on the ASDC and DNC, no other Statewide officer has a specific charge or authority. Any independent responsibility must be delegated from the Chair.

Most importantly, the fact that the Chair is responsible for 100% of the standing committee appointments, as well as unilateral power to form, charge and dissolve new special committees, means that discussion at all levels of the Party organization is influenced by the expressed or perceived priorities of a single Executive Officer.

A note about gender representation and officer positions: One of the major important reforms to the Party's leadership structure in recent years has been the implementation of affirmative action in our Vice Chair positions. First a rule to insure one of the VC slots was held by a woman, and later amended and refined to include trans, non-binary and gender nonconforming Democrats. Such a practice is more complicated for positions that are more singular in their charge and purpose. Election mechanics to ensure gender equity and representation in positions like Secretary, Controller or a specific "Vice President for Internal Organizing" are much more complex and controversial than two co-equal and vaguely structured positions.

A common organizational solution to these kinds of challenges is to add more positions. In an organization as diverse as the California Democratic Party, this can be a perilous strategy that

creates more problems than it appears to solve. More directly, the aim of these proposals is to recognize the tasks and decisions that go on in the life of the State Party and create shared governance structures to get them done. Creating positions without functional purpose puts the cart before the horse.

Instead, these proposals retain affirmative action based on gender and give the leadership group as a whole the responsibility for creating a “portfolio” of concrete assignments for the Vice Chairs.

Part Two: Organizational Options for Shared Governance

One option employed at times by Democratic organizations, including the DNC and the CDP itself, is to elect two executive positions, one internally focused and one externally focused. In the labor movement, it is common for union members to elect a Secretary-Treasurer responsible for organization and a President who sets broad strategy and speaks on behalf of the union. A powerful Party Chairperson balanced by a strong General Secretary is also the norm among progressive political parties worldwide.

The Party could also keep its current leadership arrangement while sharing more decisions with the existing officer group. For example, most Executive Directors of NGOs have to present their budgets, organizing strategy and more to the board for approval, not just commentary. Likewise, our bylaws could delineate independent responsibilities and tasks for the officers, spreading out power and adding layers of accountability. The important part of this model, however, is to understand that organizational power should be wielded by an accountable, elected collective, not an individual.

In addition to separating the political from operational powers of the current Chair position, the models below seek to empower the other elected officer positions, both in their individual roles and as a collective body.

Option One: Two Chairs

“Political Chair”: Political, Campaign and Communications Responsibilities

- Fundraising and donor relations
- Appointments of Co-Chairs of policy committees (Platform, Resolutions, Legislation)
- Chief spokesperson for Party
- Representative of CDP to related Democratic bodies (ASDC, DNC)
- Campaign manager of Party’s Coordinated Campaign
 - Manager of campaign staff and Party staff assigned to campaign
- Relations with Party organizations in Government (Assembly and Senate Democratic Caucuses, Democratic Congressional Delegation)

“Organizational Chair”: Organizational, Developmental and Capacity-Building Responsibilities

- Fundraising and donor relations
- Chief Executive Officer

- Appointments of Co-Chairs of Organizational Committees (Org Development, Credentials, Affirmative Action, Voter Services)
- Personnel Management of Party staff
- Supervisor of Senior Staff
- Office Manager
- Training and Education
- Budget Development

Vice Chairs: It is important to preserve the tradition of gender representation in our system of electing Vice Chairs while also providing the positions with more enumerated responsibilities. As such, in this model, the bylaws would list a number of mandatory political and organizational responsibilities, as well as standing committees related to those topics. The Executive Officers as a whole would vote on assignments for the Vice Chairs, creating a “portfolio” for each VC. They would also serve as ex-officio members of the relevant Standing Committees.

- Representation, Inclusion and Equity
- DNC and ASDC Representation
- Training and Political Education
- Local Elections and Campaigns
- Legislative Advocacy
- External Coalitions and Partnerships

Secretary: This position should be expanded from being the receiver of record for internal Party processes and producing Executive Board minutes. In this model, the Secretary would be an elected ombuds for the organization, and a check on the powers of the Chairpeople over Party rules, processes, and procedures.

- Appoints Co-Chairs of Rules Committee
- Nominates Party Ombudsperson Candidates

Controller: In the current structure, the Controller’s duties are more spelled-out than most of the others. However, similar to the Secretary, the position’s role as a liaison between the Party’s leadership, operations and fundraising and the membership could be strengthened.

- Assists in budget creation
- Supervises annual audit and additional audits as ordered by the Executive Board
- Presents fundraising and budgetary reports to Executive Board
- Appoints Co-Chairs of Finance Committee

Executive Officers As a Whole: In both this model and the one below, a new section of the bylaws should be created to explicitly establish a decision-making level of the Executive Officers, and to assign a number of powers and responsibilities, some already scattered throughout the bylaws, as described below.

- Disciplinary votes
- Appointments of Standing Committee Members
- Approval of CDP Budget

- Approval of binding legal agreements
- Approval of major vendor agreements
- Approval of Coordinated Campaign plan and budget
- Creation, charge and dismissal of special committees
- Support and Development of Regional Directors
- Support and Development of CDP Caucuses
- All are Executive Officers of the Party

In the case of a tie vote among the Officers, the Organizational Chair shall cast a tie-breaking vote.

Compensation for Officers: The bylaws should be amended to empower the Executive Board to compensate the Executive Officers.

Option Two: A Collective Executive

Under this scenario, the division of responsibilities is somewhat similar, with someone in the traditional position of Executive Director, who would be hired by the officers as a group. Additionally, some of the current powers of the Chair would be divided among the officers. This democratizes the Party’s political leadership more broadly while concentrating operational responsibilities in the Chair and ED.

Chair:

- Fundraising and donor relations
- Appointments of Co-Chairs of policy committees (Platform, Resolutions, Legislation)
- Chief spokesperson for Party
- Representative of CDP to related Democratic bodies (ASDC, DNC)
- Supervises Executive Director
- Relations with Party organizations in Government (Assembly and Senate Democratic Caucuses, Democratic Congressional Delegation)
- Campaign manager of Party’s Coordinated Campaign
 - Manager of campaign staff and Party staff assigned to campaign
- Chief Executive Officer
- Budget Development

Executive Director: (Staff position, not elected) Candidates for this position would be proposed by the Chair and appointed by majority vote of the Officers.

- Fundraising and donor relations
- Supervisor of Senior Staff
- Office Manager
- Training and Education
- Budget Development

Vice Chairs

As above, would divide the following portfolio items between them, by a vote of the officers:

- Representation, Inclusion and Equity
- DNC and ASDC Representation
- Training and Political Education
- Local Elections and Campaigns
- Legislative Advocacy
- External Coalitions and Partnerships
- Appointments of Co-Chairs of Organizational Committees, split between them. (Org Development, Credentials, Affirmative Action, Voter Services)

Secretary

- Appoints Co-Chairs of Rules Committee
- Nominates Party Ombudsperson Candidates

Controller

- Assists in budget creation
- Supervises annual audit and additional audits as ordered by the Executive Board
- Presents fundraising and budgetary reports to Executive Board
- Appoints Co-Chairs of Finance Committee

Executive Officers as a Whole

- Disciplinary votes
- Appointments of Standing Committee Members
- Approval of CDP Budget
- Approval of binding legal agreements
- Approval of major vendor agreements
- Approval of Coordinated Campaign plan and
- Creation, charge and dismissal of special committees
- Support and Development of Regional Directors
- Support and Development of CDP Caucuses
- All are Executive Officers of the Party

Part Three: New Bylaws Language for Article III: Statewide Officers

VERSION ONE: “Option A : Two Chairs”

ARTICLE III: OFFICERS

Section 1. STATEWIDE OFFICERS

a. The statewide officers of This Committee shall be ~~a State Chair~~ Political Chair, an Organizational Chair, two Vice Chairs, a Secretary and a Controller. The Vice Chairs shall adhere to the Equal Division Rule.

- b. All statewide officers shall be elected to four-year terms.
- c. The Vice Chair who, when considering the Chair and Vice Chair together adheres to the Equal Division Rule, shall be designated the First Vice Chair.
- d. A prerequisite for candidacy to a statewide office is that a candidate be a member of This Committee by the time the election takes place.
- e. The Executive Board shall have the power to compensate the ~~State Chair~~ Statewide Officers. Any decrease in compensation shall not take effect until the next election of the State Chair, except upon two-thirds vote of the Executive Board.
- f. The statewide officers of This Committee shall be considered Executive Officers of This Committee for purposes of legal or political matters before This Committee.

Section 2. DESCRIPTION OF DUTIES

- a. The ~~State Organizational~~ Chair shall be the chief executive officer ~~and the official voice~~ of This Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:
 - a) Fundraising and donor relations
 - b) Appointing the Lead Co-Chairs of the Organizational Development, Credentials and Affirmative Action Standing Committees
 - c) Management of Party Staff
 - d) Management of Party Offices
 - e) Leading training and education programs
 - f) Developing Operating Budget

~~(1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the~~

~~members of the Executive Board present and voting who shall:~~

- ~~(a) not be a member or employee of This Committee;~~
- ~~(b) serve for a term of two (2) years; and~~
- ~~(c) be subject to removal by a majority vote of the statewide officers.~~

~~(2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the judgement of the Chair of This Committee, are:~~

- ~~(a) professional investigators; and~~
- ~~(b) who shall not be members or employees of This Committee.~~

b. The State Political Chair shall be the official voice of This Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:

- a) Fundraising and donor relations
- b) Appointing the Lead Co-Chairs of the Platform, Resolutions and Legislation Standing Committees
- c) Representing This Committee to related Democratic bodies, including the Association of State Democratic Party Chairs and the Democratic National Committee
- d) Representing This Committee to Democratic organizations in Government, including the Assembly and Senate Democratic Caucuses, Association of Democratic Elected Officials and the Democratic Congressional Delegation
- e) Preparing and Developing Campaign Budget and Campaign Plan
- f) Managing State-level Coordinated Campaign and Campaign Staff

c. ~~The First Vice Chairs shall assist the Chairs in the performance of the duties of that office~~ those offices. In addition, the Vice Chairs shall take responsibility for organizational

maintenance, development and political activity, dividing equally between them, as detailed in Section 3(g) below, the following areas of Party work:

- a) Representation, Inclusion and Equity
- b) Representing the Party to the Association of State Democratic Chairs and the Democratic National Committee
- c) Training and Political Education
- d) Local Elections and Campaigns
- e) Legislative Advocacy
- f) Representing the Party to External Coalitions and Partnerships, including the Labor Movement

~~dThe First Vice Chair shall assist the Chair in the performance of the duties of that office. To the extent necessary, the First Vice Chair shall exercise the powers of the Chair in the event of the Chair's absence.~~ In the event that the office of Chair is vacated, the First Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below. ~~The First Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee.~~ In the event of a vacancy in both the office of the Chair and the First Vice Chair, the Second Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below.

e. The Secretary shall serve as a guide and advocate for the membership of This Committee. The Secretary shall maintain all records of This Committee, shall serve all required notices, shall discharge such other duties as pertain to this office, and shall turn over at the end of their term of office all records and documents associated with the office of Secretary to This Committee, except as may be otherwise noted herein. The Secretary shall appoint Lead Co-Chairs of the Rules Committee and serve as an Ex Officio member of that committee. The Secretary is responsible for

(1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the members of the Executive Board present and voting who shall:

- (a) not be a member or employee of This Committee;
- (b) serve for a term of two (2) years; and
- (c) be subject to removal by a majority vote of the statewide officers.

(2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the judgement of the Secretary of This Committee, are:

- (a) professional investigators; and
- (b) who shall not be members or employees of This Committee.

f. The Controller shall provide financial oversight for This Committee, and inform the membership of This Committee of its financial status. The Controller shall assist the Chairs in development of budgets, fundraising and donor relations, and shall oversee an annual audit of This Committee's finances and fundraising, as well as additional audits as ordered by the Executive Board. The Controller shall have access to the financial records maintained by This Committee, shall prepare and deliver at each Executive Board meeting a report on the financial affairs

of This Committee, shall serve as Chair of the Finance Committee, and shall turn over at the end of their term all records and documents associated with the office of Controller to This Committee. The Controller shall appoint the Lead Co-Chairs of the Finance Committee, and shall serve as an Ex Officio member of that Committee.

g. The Statewide Officers shall, as a group, assist in the organizational development of This Committee. They shall maintain regular contact with Regional Directors and Caucus Chairs, evenly assigned between the Officers. The Statewide Officers shall decide by majority vote:

- a) Removal or discipline of members
- b) Assignment of responsibilities for Vice Chairs
- c) Appointing members of This Committee to 4-year terms on Standing Committees

- d) Approving Operating Budget
- e) Approving Campaign Budget
- f) Approving binding legal agreements
- g) Approving major vendor agreements exceeding \$25,000 USD in annual cost
- h) Approving Coordinated Campaign plan and Budget
- i) Creating, charging and dismissing Special Committees and Working Groups

In the case of a tie vote among the Officers, the Organizational Chair shall cast a tie-breaking vote.

VERSION TWO: “Option B: A Collective Executive”

ARTICLE III: OFFICERS

Section 1. STATEWIDE OFFICERS

- a. The statewide officers of This Committee shall be a State Chair, two Vice Chairs, a Secretary and a Controller. An Executive Director shall be hired by the Officers. The Vice Chairs shall adhere to the Equal Division Rule.
- b. All statewide officers shall be elected to four-year terms.
- c. The Vice Chair who, when considering the Chair and Vice Chair together adheres to the Equal Division Rule, shall be designated the First Vice Chair.
- d. A prerequisite for candidacy to a statewide office is that a candidate be a member of This Committee by the time the election takes place.
- e. The Executive Board shall have the power to compensate the ~~State Chair~~ Statewide Officers. Any decrease in compensation shall not take effect until the next election of the State Chair, except upon two-thirds vote of the Executive Board.
- f. The statewide officers of This Committee shall be considered Executive Officers of This Committee for purposes of legal or political matters before This Committee.

Section 2. DESCRIPTION OF DUTIES

- a. The State Chair shall be the chief executive officer and the official voice of This

Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:

g) Fundraising and donor relations

h) Appointing

the Lead Co-Chairs of the Platform, Resolutions and Legislation Standing Committees

i) Representing This Committee to related Democratic bodies, including the Association of State Democratic Party Chairs and the Democratic National Committee

j) Representing This Committee to Democratic organizations in Government, including the Assembly and Senate Democratic Caucuses, Association of Democratic Elected Officials and the Democratic Congressional Delegation

k) Preparing and Developing Campaign Budget and Campaign Plan

l) Managing State-level Coordinated Campaign and Campaign Staff

m) Nominating candidates for Executive Director

~~(1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the members of the Executive Board present and voting who shall:~~

~~(a) not be a member or employee of This Committee;~~

~~(b) serve for a term of two (2) years; and~~

~~(c) be subject to removal by a majority vote of the statewide officers.~~

~~(2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the~~

judgement of the Chair of This Committee, are:

~~(a) professional investigators; and~~

~~(b) who shall not be members or employees of This Committee.~~

b. ~~The First Vice Chairs shall assist the Chairs in the performance of the duties of that office those offices. In addition, the Vice Chairs shall take responsibility for organizational maintenance, development and political activity, dividing equally between them, as detailed in Section 3(g) below, the following areas of Party work:~~

g) Representation, Inclusion and Equity

h) Representing the Party to the Association of State Democratic Chairs and the Democratic National Committee

i) Training and Political Education

j) Local Elections and Campaigns

k) Legislative Advocacy

l) Representing the Party to External Coalitions and Partnerships, including the Labor Movement

m) Appointing the Lead Co-Chairs of the Organizational Development, Credentials and Affirmative Action Standing Committees

~~dThe First Vice Chair shall assist the Chair in the performance of the duties of that office.~~

~~To the extent necessary, the First Vice Chair shall exercise the powers of the Chair in the event of the Chair's absence. In the event that the office of Chair is vacated, the First~~

~~Vice Chair succeeds to the office of Chair until a new Chair has been selected as~~

~~provided in Section 5a below. The First Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee. In the~~

~~event of a vacancy in both the office of the Chair and the First Vice Chair, the Second~~

~~Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below.~~

c. The Secretary shall serve as a guide and advocate for the membership of This Committee. The Secretary shall maintain all records of This Committee, shall serve all required notices, shall discharge such other duties as pertain to this office, and shall turn over at the end of their term of office all records and documents associated with the office of Secretary to This Committee, except as may be otherwise noted herein. The Secretary shall appoint Lead Co-Chairs of the Rules Committee and serve as an Ex Officio member of that committee. The Secretary is responsible for

(1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the members of the Executive Board present and voting who shall:

(a) not be a member or employee of This Committee;

(b) serve for a term of two (2) years; and

(c) be subject to removal by a majority vote of the statewide officers.

(2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the judgement of the Secretary of This Committee, are:

(a) professional investigators; and

(b) who shall not be members or employees of This Committee.

d. The Controller shall provide financial oversight for This Committee, and inform the membership of This Committee of its financial status. The Controller shall assist the Chairs in development of budgets, fundraising and donor relations, and shall oversee an annual audit of This Committee's finances and fundraising, as well as additional audits as ordered by the Executive Board. The Controller shall have access to the financial records maintained by This Committee, shall prepare and deliver at each Executive Board meeting a report on the financial affairs

of This Committee, shall serve as Chair of the Finance Committee, and shall turn over at the end of their term all records and documents associated with the office of Controller to

This Committee. The Controller shall appoint the Lead Co-Chairs of the Finance Committee, and shall serve as an Ex Officio member of that Committee.

e. The Statewide Officers shall, as a group, assist in the organizational development of This Committee. They shall maintain regular contact with Regional Directors and Caucus Chairs, evenly assigned between the Officers. The Statewide Officers shall decide by majority vote:

- j) Removal or discipline of members
- k) Assignment of responsibilities for Vice Chairs
- l) Hiring of an Executive Director
- m) Appointing members of This Committee to 4-year terms on Standing Committees
- n) Approving Operating Budget
- o) Approving Campaign Budget
- p) Approving binding legal agreements
- q) Approving major vendor agreements exceeding \$25,000 USD in annual cost
- r) Approving Coordinated Campaign plan and Budget
- s) Creating, charging and dismissing Special Committees and Working Groups

In the case of a tie vote among the Officers, the Organizational Chair shall cast a tie-breaking vote.

f. Executive Director: This Committee shall employ an Executive Director who will assist the Chair in the performance of duties of that office. The Executive Director shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:

- a) Fundraising and donor relations
- b) Management of Party Staff
- c) Management of Party Offices
- d) Leading training and education programs
- e) Developing Operating Budget

Part Four: Index of Bylaws references to Chair and Officer duties and powers

Article III: Officers

Section 1. Statewide Officers

- a. The statewide officers of This Committee shall be a State Chair, two Vice Chairs, a Secretary and a Controller. The Vice Chairs shall adhere to the Equal Division Rule.
- e. The Executive Board shall have the power to compensate the State Chair. Any decrease in compensation shall not take effect until the next election of the State Chair, except upon two-thirds vote of the Executive Board.

Section 2. Description of Duties

- a. The State Chair shall be the chief executive officer and the official voice of This Committee, shall carry out the policies and purposes, and shall pursue its interests to the best of their abilities, including, but not limited to:

(1) nominating an Independent Ombudsperson, in consultation with the Statewide Officers of This Committee, subject to approval by a majority vote of the members of the Executive Board present and voting who shall:

- (a) not be a member or employee of This Committee;
- (b) serve for a term of two (2) years; and
- (c) be subject to removal by a majority vote of the statewide officers.

(2) preparing a list of Investigators, in consultation with the Statewide Officers of This Committee and subject to approval by a majority vote of the members of the Executive Board present and voting, from which the Independent Ombudsperson may select an Investigator to investigate a complaint of a violation of the Code of Conduct and to assist in the work of the Conduct Commission; who, in the judgement of the Chair of This Committee, are:

- (a) professional investigators; and
- (b) who shall not be members or employees of This Committee.

- b. The First Vice Chair shall assist the Chair in the performance of the duties of that office. To the extent necessary, the First Vice Chair shall exercise the powers of the Chair in the event of the Chair's absence. In the event that the office of Chair is vacated, the First Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below. The First Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee.

c. The Second Vice Chair shall assist the State Chair in the performance of the duties of that office. The Second Vice Chair shall be responsible for organizational maintenance and development consistent with the policies of the State Chair and This Committee. In the event of a vacancy in both the office of the Chair and the First Vice Chair, the Second Vice Chair succeeds to the office of Chair until a new Chair has been selected as provided in Section 5a below.

d. The Secretary shall maintain all records of This Committee, shall serve all required notices, shall discharge such other duties as pertain to this office, and shall turn over at the end of their term of office all records and documents associated with the office of Secretary to This Committee, except as may be otherwise noted herein.

e. The Controller shall have access to the financial records maintained by This Committee, shall prepare and deliver at each Executive Board meeting a report on the financial affairs of This Committee, shall serve as Chair of the Finance Committee, and shall turn over at the end of their term all records and documents associated with the office of Controller to This Committee.

Section 4. Regional Directors

d. The Regional Directors shall assist the statewide officers in the maintenance and development of the Party organization within their respective regions. They are responsible for developing, assisting, and coordinating the County Central Committees, Clubs & other Democratic organizations within their region, and shall convene a regional meeting of the members of This Committee in the region with sufficient time for input, or timely resolutions, prior to each meeting of This Committee or its Executive Board.

Section 5. Vacancies

b. In the event that any Regional Directorship shall become vacant the Chair of This Committee may appoint one member of This Committee resident in the Region to serve as interim Regional Director and one member of This Committee (hereinafter "facilitator"), who shall cause to be convened and shall conduct a meeting of the current members of This Committee resident in the relevant Region, who were also members at the time the vacancy occurred, to fill the vacancy, subject to the following provisions:

(1) At least thirty (30) days written notice of the existence of the vacancy and of the time and place of the meeting to fill the vacancy shall be given to each voting participant. The Chair of This Committee shall effectuate this notice.

(2) Subject to the above notice requirement, this meeting shall occur at either the next regional meeting which is scheduled to be held prior to the next meeting of This Committee or its Executive Board, or at the annual Convention of This Committee, whichever occurs first. Upon written request from a member of This Committee resident in the affected region, the Chair may consider and allow an alternative date to hasten the filling of the vacancy, provided the above notice 15 requirement is adhered to.

(3) In the event that such a vacancy occurs after the Executive Board meeting prior to the first Convention of This Committee held in odd numbered years, it shall be the Chair of This Committee's sole discretion on whether or not to convene a meeting to elect a replacement.

Section 6. Removal of Officers

An officer of This Committee may be removed from office for misconduct or neglect of duty in office by the following procedures:

a. Any member of This Committee, or the members of the Conduct Commission, (hereafter, the Filer) may file a Statement of Charges to remove an Officer of this Committee (hereafter, the Accused Officer), being no more than 200 words, with the Secretary. If the Accused Officer is the Secretary of This Committee, all responsibilities of the Secretary with regard to this Section shall be carried out by the State Chair.

c. The Secretary, within seven (7) days following receipt of the Answer or the deadline for receipt of the Answer, shall issue to the Filer a Petition, which shall include the Statement of Charges and the Answer. If, within sixty (60) days of the date of the mailing by the Secretary of the Petition, the Filer returns to the Secretary the Petition with the names and signatures of thirty (30) current Executive Board members, an item for Removal of Officer shall be placed on the agenda of the next regular Executive Board meeting held at least seventeen (17) days after the submission of such Petition by the Filer to the Secretary. When the Statement of Charges is filed by the Conduct Commission, no additional signatures are required and shall be considered as the Petition referred to herein. Written notice of this agenda item must be mailed to the Executive Board no less than ten (10) days prior to the Executive Board meeting. Where the basis of a Petition is an alleged violation of the Code of Conduct, constituting sexual misconduct, as determined by the Conduction Commission, a Special Meeting of the Executive Board may also be convened to consider the Petition. A special meeting for purposes of considering such a Petition may be called by the Conduct Commission in consultation with the Chair of This Committee. In such circumstances the Chair of This Committee, or in the case of a Petition accusing the Chair of such violation, the Secretary of This Committee, shall provide written notice by letter or electronic mail to the Executive Board at least seven (7) days in advance of such a special meeting.

e. If the motion for removal of the Accused Officer is defeated, then no such motion to remove the Accused Officer on substantially the same charges shall be in order for the remainder of the Accused Officer's term. It shall be the sole discretion of the Chair to determine whether any new statement of charges is substantially the same as the previous statement. If the Chair is the Accused Officer, this responsibility shall be that of the Secretary.

Article IV. Meetings

Section 1. Regular Meetings

a. Regular Meetings

(1) The Democratic State Central Committee shall convene a regular meeting each year. The State Chair shall determine the precise dates.

(2) For the first regular meeting of an odd-numbered year (the “organizing convention”), the roll of eligible voters at this meeting of This Committee shall consist of those members who have qualified as of February 7, or next business day if date falls on state holiday or weekend, of the year of that meeting. Once qualified as of February 7, or next business day if date falls on state holiday or weekend, one who remains otherwise qualified to maintain their membership on This Committee, shall vote in the district(s) in which they are registered.

(3) For all other meetings of This Committee (whether regular or special), the qualification date shall be a date selected by the Chair of This Committee and publicized on the Party’s website that is between sixty (60) and ninety (90) days prior to that meeting. b. The State Chair shall call This Committee to order at the time set forth in the agenda mailed to each member, and as soon as practicable thereafter shall receive a preliminary report of the Credential Committee as to the list of certified members and proxies. The Officers of This Committee shall serve as the Officers of any meeting of This Committee and the Committees previously appointed by the Chair of This Committee shall serve as the Committees of any meeting of This Committee, as may be deemed necessary by the Chair of This Committee and subject to the right of the Chair to fill any vacancies on said Committees to insure a full complement of members. In the event there is no Chair of This Committee, the First Vice-Chair shall preside and act in their stead.

Section 2. SPECIAL MEETINGS

This Committee may hold special meetings in any of the following ways: upon call of the State Chair; upon call of the Executive Board; upon call of the Conduct Commission in consultation with the Statewide Officers of This Committee; or upon the call of the State Chair within 15 days after receipt by the Chair of a written request signed by a majority of the members of This Committee.

Section 3. PLACE OF MEETINGS

The regular meetings of This Committee shall be held in a suitable location determined by the Executive Board or, if the Executive Board does not meet, by the State Chair of the Party.

Section 7. Parliamentary Procedures, Voting, and Publications of Code of Conduct

g. On any demand by a member for a roll call vote, the Chair must present the demand to the floor. Upon approval by at least 300 members by a standing vote, the roll shall be called in the manner prescribed in subdivision (d) of this Section. h. During any vote, the Chair may cause the floor to be cleared of persons who are not members of This Committee or do not carry a proxy therefrom.

Section 8. Resolution Procedures

b. Timely Resolutions

(1) Resolutions must be received by the State Chair of the Party, thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.

(2) The State Chair of the Party shall mail copies of resolutions submitted according to the above procedure to all members of the Resolutions Committee prior to a meeting of This Committee

Article V. Standing Committees and Special Committees

Section 2. Consolidation of Committees

The Chair of This Committee, during their tenure, may also consolidate, or if once done, deconsolidate, standing committees as deemed appropriate, subject to ratification by the Executive Board of This Committee.

Section 3. APPOINTMENT OF MEMBERS OF COMMITTEES

Except as set forth herein below, The Chair of This Committee shall appoint from fifteen to thirty members of This Committee to each of the Standing Committees mentioned herein. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party's commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status. The geographical location of the appointees, including their residence in urban, suburban, or rural communities, shall also guide the Chair of This Committee in making appointments to each Standing Committee.

Section 4. APPOINTMENT OF CO-CHAIRS

The Chair of This Committee shall appoint co-chairs of each Standing Committee from among its members.

Section 5. STANDING COMMITTEE DUTIES AND RESPONSIBILITIES

a. Credentials Committee: The Credentials Committee shall be comprised of 25-45 members. It shall be the duty of the Credentials Committee to approve the credentials of all persons appointed or elected to This Committee, to present a list of qualified members to the Chair of This Committee as soon as practicable, and to hear certain appeals from decisions of the Compliance Review Commission, as specified in Article XII. The Credentials Committee shall review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws. All challenges of members or proxies shall be referred to the Credentials Committee for resolution

b. Rules Committee: It shall be the duty of the Rules Committee to keep the By-Laws and Rules of This Committee consistent with the aims and policies of This Committee, to propose changes in the rules and By-Laws and special rules when necessary, to promulgate forms for quarterly financial disclosure statements for the Statewide Officers, promulgate rules for the filling of vacancies in Regional Directorships, adopt guidelines for the Legislation Committee, promulgate rules for the conduct of Assembly District Election Meetings, to adopt guidelines upon recommendation of the Organizational Development Committee for the Chartering of Organizations under Article X of these bylaws, to advise the Secretary of This Committee as to what information is needed on the Application for Charter, approve or reject proposed Caucus Statements of Purpose and Intended Activity, promulgate Guidelines for Certification, Re-Certification, and Decertification of Caucuses, to advise the Secretary of This Committee as to what information is needed on the Application for Certification of Caucuses, certify and decertify caucuses, promulgate procedural rules for the operation of the Compliance Review Commission, recommend changes in the Code of Conduct as may be necessary from time to time, promulgate procedural rules for the operation of the Conduct Commission and to effectuate the flow chart entitled "Process for Reporting Misconduct and Harassment" attached hereto as Appendix "B," to hear certain appeals from decisions of the Compliance Review Commission as specified in Article XII, and to interpret the rules and By-Laws when called upon by the Chair of This Committee or the Executive Board.

g. Legislation Committee: It shall be the function of the Legislation Committee to propose legislation when needed, in response to the duties and policies of the Party; to maintain a listing of all pending legislation that is of "must" and/or major concern to the Party; and to keep a record of the vote by the Democratic Party legislators on such legislative items. The Legislation Committee shall in consultation with the Chair of This Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach, and as needed, shall advise the Chair of This Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules committee.

i. Organizational Development Committee: It shall be the duty of the Organizational Development Committee:

- (1) To recommend to the State Chair local, state and national political strategies, activities, and policies designed to improve the organizational effectiveness of the Party;
- (2) To propose a plan for redistricting of the Regions after each State Reapportionment is adopted;
- (3) To propose guidelines to the Rules Committee, for their consideration and approval, concerning the Chartering of Organizations under Article X of these bylaws; and,
- (4) To recommend to the Executive Board the granting or rejection, of applications for Charter of organizations under Article X of these bylaws pursuant to guidelines adopted by the Rules Committee.

Section 7. Special Committees

The Chair of This Committee may appoint such special committees as they deem appropriate.

Section 8. Procedures for Committee Proceedings

b. Except as may be otherwise allowed herein, in order for a Standing Committee, a subcommittee thereof, or any of its members to meet other than in person, the Chair of This Committee must:

- (1) After considering the nature of the meeting, make a determination that allowing it to be conducted other than in person does not impose any undue burden, does not fundamentally alter the nature of the proceeding, and that the need for physical presence is not a paramount component of the meeting, so long as each member can speak and be heard by the other members,
- (2) Provide at least seven (7) days notice to all interested persons that proceedings may be conducted other than in person, and
- (3) Provide a means for all other interested persons to likewise attend, at least via "listen/view-only" mode.

Article VI: Assembly Districts and Assembly District Election Meetings

Section 1. Assembly District Election Meetings

a. Except as may be otherwise allowed herein, biennial Assembly District Election Meetings shall be held for the purpose of electing from each Assembly District 14 members to this Committee and one representative to the Executive Board:

- (4) The Convener of the Election Meeting shall be selected by the Chair of this Committee in consultation with the Regional Director responsible for the Assembly

District, no later than September 15 of the year prior to the ADEM meeting. The selected Convener must be a registered Democrat and pledge not to seek a DSCC seat nor an Executive Board position from that ADEM

b. Locations

(2) Prior to the 2021 ADEMs and 1 prior to the first ADEMs after each decennial redistricting is finalized, the Chair of This Committee shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, "Good cause" may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions. Decisions may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next redistricting.

(3) In consultation with the Regional Director(s) resident in the Assembly District and with other local interested persons appointed by the Chair, and consistent with paragraph (2) above, the Chair shall identify one or more appropriate locations in each Assembly District by November 15 of the year preceding the ADEM. The location selection shall be guided by criteria provided in the ADEM Procedures and shall be posted on the Party's website.

(4) For the convenience of Democrats registered in geographically large Assembly Districts, The Chair of This Committee may designate one or more ADEM locations to serve more than one Assembly District, as long as each Assembly District is served by at least one location within that Assembly District.

c. The Chair of This Committee, in consultation with the appropriate Regional Directors and Convener shall, no later than November 15 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, publicize on the Party's website the date, time, and place of the Election Meetings.

d. The Convener and the Chair of This Committee, as indicated below, shall make every reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 21 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, to the following persons:

(1) All members of This Committee residing in the District (to be notified by the Chair of This Committee).

(2) All members of the County Committee residing in the District (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to

be obtained from the Chairs of any County Committees which lie wholly 28 or in part within the Assembly District).

(3) All attendees of the previous Assembly District Election Meeting (to be notified by the Chair of This Committee).

i. Post-ADEM Procedures:

(1) When the time for balloting has ended according to the ADEM Procedures, the Convener shall proceed to count the number of ballots (but not the votes) according to the ADEM Procedures. The Convener shall transmit to the Chair of This Committee (or their designee) the number of ballots. The ballot box shall be sealed with the voted ballots, blank ballots and all supporting materials, and delivered to one or more addresses designated by the Chair of This Committee. (2) Upon receipt of the ballot boxes, and after a process to verify participant eligibility is completed, The Chair of This Committee (or his designee) shall cause the eligible ballots to be counted and shall publicize the results on the CDP's website. The Chair shall then start the process of offering the position of Assembly District Representative to the State Executive Board to the appropriate persons as provided in subsection (j)(1) below. Upon acceptance of the position, those persons' names shall also be so publicized.

3) Failure by the Convener to return the materials referred to in the previous paragraph shall result in the withholding of that Convener's credential to, or ability to register for, any meeting of This Committee and its Executive Board for the remainder of the term, until such time as the Chair of This Committee certifies that the materials have been returned as required or upon the Chair's finding of good cause, waives same

Article VII. Executive Board

Section 2. Executive Board Membership

E. All officers and immediate past officers of This Committee.

Section 3. Executive Board Organization

The State Chair shall be the Chair of the Executive Board, and the State Secretary shall be the Secretary of the Executive Board.

Section 4. Executive Board Meetings

b. The Executive Board may convene in special meetings in the following manner:

(1) At the call of the State Chair and at such time and in such place as they may designate; or,

(2) Upon written request, designating the time and place of such special meeting, submitted to the State Chair signed by fifty (50) or more members of the Executive Board.

c. Notice of the regular and special meetings shall be given by the Secretary. The Secretary shall cause to be sent individual notice to each member of the Executive Board at least ten days prior to the meeting. If, upon good cause, the time is shortened by the Chair of This Committee, upon advice and consent of the remaining Statewide Officers of This Committee, individualized notice must be given at least three days prior to the meeting. Notice of any vote on endorsements of candidates or endorsements of, or opposition to, propositions, initiatives, referendum, or recall, shall be sent at least thirty days prior to the meeting, unless, upon good cause, the Chair of This Committee, upon advice and consent of the remaining Statewide Officers of This Committee, shortens notice to no less than ten days.

Section 7. Executive Board Resolutions

Submission of resolutions to the Executive Board shall be in accordance with the following procedures:

a. Resolutions must be received thirty (30) calendar days prior to a meeting of the Executive Board by the State Chair of the Party, except as provided for in subdivision (d) below.

c. Copies of resolutions submitted according to the above procedures shall be mailed by the State Chair to all members of the Resolutions Committee prior to an Executive Board meeting

Article VIII. ENDORSEMENT OF CANDIDATES FOR PARTISAN AND NONPARTISAN OFFICE, AND ENDORSEMENT AND OPPOSITION TO STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, AND RECALL

Section 2. President of the United States

c. Neutral Provision of Benefits to Presidential Candidates: Nothing in this Section shall prohibit the neutral provision of benefits, including, but not limited to such things as meeting rooms and table space, to serious and qualified candidates for President or Independent Committees or groups supporting or opposing such a candidate; nor shall it prohibit providing any benefit or support for public policy positions or non-campaign activities of serious and qualified candidates for President, or their administration as may be determined by the Chair of This Committee.

Section 3. Partisan Public Offices Other Than President

c. Composition of Endorsing Caucuses, Timing, Qualifications for Candidate Consideration, Provision of Platform Link, Code of Conduct, Quorum, Written Ballot, No Endorsement Option,

Number Endorsed, Vote Required: Endorsing caucuses of This Committee shall be comprised of all members of This Committee resident and registered to vote in the relevant district except that those members appointed by the appointing authorities for the offices described in Article II, 36 sections 2a(10) and 2a(12) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this Article) unless the appointee is registered to vote in the same electoral district as the one that the appointing authority represents. Endorsement caucuses in any given primary race shall be chaired by persons designated by the Chair of This Committee. The Chair of This Committee may also appoint a Parliamentarian who is a member of either the Rules or Credentials Committee of This Committee, and a Secretary for each Endorsing Caucus.

(1) Endorsing caucuses shall be held at places and times during the endorsing convention which are designated by the Chair of This Committee consistent with achieving an orderly, convenient and fair process.

d. Consent Calendar, Ratification, Objection to Ratification, Process for Consideration of Objection: Decisions of endorsing caucuses and the recommendations of pre-endorsing conferences which appear on the consent calendar as provided under Article VIII, Section 3.g.(12), shall be subject to ratification by the full membership of This Committee at a time certain noticed in the printed convention agenda, except with respect to candidates for statewide public office.

(2) Ratification of endorsing caucus decisions on which no objection has been filed under the provisions of (3) below may be achieved by a vote of acclamation on a consent calendar which embraces as many such decisions as deemed appropriate by the Chair of This Committee

(3) Formal objection to the ratification of an endorsing caucus decision may only be made after the recommendation of the Endorsing Caucus has been made, as follows:

(a) If the endorsed candidate received less than two-thirds of the vote at the Endorsing Caucus, formal objection must be signed by at least 300 credentialed members of This Committee on a form prescribed by the Secretary issued after the decision of the Endorsing Caucus has been made and filed with the State Chair no later than a time set by the State Chair that is no earlier than 4 hours after the form was issued the evening before the period set aside for ratification votes. In the event a formal objection is filed, each candidate shall be entitled to designate one observer who may be present during the signature verification process.

(b) If the endorsed candidate received at least two-thirds of the vote at the endorsing caucus, formal objection must be either:

1. upon written motion by at least ten (10) members of the relevant caucus in the case of an Assembly District or at least twenty (20) members of the relevant caucus in the case of a State Senate or Congressional District,

except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(10) and 2a(12) and not appointed pursuant to Article II, section 3c shall not be eligible to participate in such motions or petitions unless the appointee is registered to vote in the same 38 electoral district as the one that the appointing authority represents, or

2. upon written motion and second by members of a Pre-Primary Endorsement Review Committee. In either case, this written motion must be filed with the Secretary of This Committee by 8 PM on the day that the endorsing caucuses are held at the endorsing convention. The Pre-Primary Endorsement Review Committee shall be comprised of all members of the Executive Board registered in the relevant district, the Statewide Officers; the Regional Director(s) of the relevant district, and two (2) Executive Board members, appointed by the Chair of This Committee prior to the start of the Convention, from each of the following committees: Rules, Credentials and Voter Services. If such a motion for formal objection to the ratification of an endorsing caucus decision is so filed with the Secretary by 8 PM the evening before the period set aside for ratification vote, then the relevant Pre-Primary Endorsement Review Committee shall meet at 8 AM the morning prior to the ratification vote. Presentations for the motion by the filer and against the motion by the endorsed candidate shall be no more than five (5) minutes each. Such a motion for formal objection to the ratification of an endorsing caucus decision may be adopted by the relevant committee by a majority of the committee present and voting

(7) An incumbent who has been automatically placed on the consent calendar of This Committee's endorsing convention by operation of Section 3g(12) of this Article shall be removed from the consent calendar for separate vote by the convention if by 8 PM on the day prior to the date of the vote on the consent calendar by the endorsing convention there is filed a petition with the Secretary of This Committee that provides that it is in the best interest of the California Democratic Party that such removal from the consent calendar occur, and that the petition be signed by two-thirds of the following: the Statewide Officers of This Committee plus the Regional Director(s) whose region(s) include(s) all or part of the district represented by the incumbent. Vacancies shall not be counted in the percentages but proxies may vote in place of their principal according to rules otherwise provided in these bylaws.

e. Special Elections Process and Appeals Committee:

(1) In the case of a special election where an endorsement cannot be made at the biennial endorsing convention of the California Democratic Party, for the primary special election, the Chair of This Committee shall cause to be convened a Special Election Endorsing Caucus of the members of This Committee resident in the relevant district,

shall designate a convenor and shall appoint a Special Elections Appeals Committee. The endorsing caucus shall be comprised of all members of This Committee resident in the district at 5 PM of the day of the Governor's Proclamation of the election, except that:

(b) members who were eligible but have since the appointing deadline died, moved, changed their registration to a district other than the district the Special Election is occurring, or resigned may be replaced by the appropriate authority. Such Special Election Endorsing Caucus shall otherwise proceed in accordance with the relevant procedures provided for in subsection (c) above and its decision shall become the endorsement of This Committee unless, within two (2) days a majority of the Statewide Officers of This Committee or 20 percent of the members of the Special Election Endorsing Caucus object in writing to the State Chair. No proxy voting shall be allowed - each eligible member shall be sent a vote-by-mail ballot, which shall be read off as though it were a roll call vote. Once received by the designated convenor of the caucus, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. Lost ballots may be replaced at the caucus prior to the close of balloting.

(2) A Special Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. This Special Elections Appeal Committee shall be comprised of the Statewide Officers; the Regional Director(s) of the relevant district, two (2) Executive Board members, appointed by the Chair of This Committee, from each of the following committees: Rules, Credentials and Voter Services.

f. Failure to File as "Party Preference: Democratic": Endorsement is contingent on such candidate successfully filing for their office as "Party Preference: Democratic" and any such failure to do so shall nullify any endorsement. In the event of such nullification, the Chair of This Committee may utilize the process in subsection e. above, causing to be convened an endorsing caucus of the members of This Committee resident in the relevant district as of the close of Candidacy filing for this race.

g. "Pre-endorsing Conferences" Time, Place, Absentee Voting, Notice, Convenor, Participants, Certification of Roster, No Proxy Voting, Address by Candidate, Offering of Name, Single Roll Call Vote, Prohibition on Vote Retraction, Participant's Residency, Transmission of Results, Incumbent Consent Calendar Placement and Removal Process, Process for Endorsement in General Election: "Pre-endorsing Conferences" are a public meeting of the Democratic Party and shall be held at the regional level prior to the State endorsing convention, and shall be open to all registered Democrats.

(1) The time and place of each pre-endorsing conference shall be determined by the State Chair in consultation with the Party's Regional Directors.

(2) Absentee ballot voting shall be allowed for each office to be voted upon at the preendorsing conference provided that the participation of at least five of the eligible members of This Committee as delegates to the pre- endorsing conference, either in

person, or by vote-by-mail ballot, shall constitute a quorum. In the absence of such quorum no recommendation for endorsement shall take place; however, the relevant convention endorsing caucus shall consider the race “de novo”. The ballot shall consist of a written, signed statement from the eligible voter and shall be recorded as part of the roll call vote if received by the designated Regional Director prior to the beginning of the roll call vote in the designated district. In the event that any Senate District or Congressional District falls into more than one Region, the State Chair shall assign those districts to a single regional preendorsement conference for the purposes of making the recommendation set forth in this section, due consideration being given to conflicting conference dates so as to allow for full participation.

(3) The State Chair shall be responsible for providing each voting participant with notification of the time and place of the relevant pre-endorsing conference. 41 Regional Directors shall be responsible, upon the advice and assistance of the State Chair, for generally publicizing pre-endorsement conferences.

(4) Each pre-endorsing conference shall be convened by the relevant Regional Director or, in the event that there is no Regional Director available for this purpose or the Regional Director is a candidate for nomination to a partisan public office, by a person designated by the State Chair. The State Chair shall designate a Chair and a Secretary for each Regional pre-endorsing conference.

(6) No proxy voting shall be allowed at pre-endorsing conferences. In order to effectuate notice to all potential voters, and to determine and certify eligibility to vote, it shall be the responsibility of each Regional Director, with the assistance of the relevant County Committee Chair(s) and the Executive Board representative from each Assembly District to identify by name all persons who will be eligible voters at their regional pre-endorsing conference and to transmit the names of all such voters to the State Chair, along with the Assembly District, Senate District and Congressional District in which each resides by a date selected by the Chair of This Committee and publicized on the Party’s website that is between sixty (60) and ninety (90) days prior to the State Endorsing Convention. A roster of the certified eligible voters shall be maintained by that Regional Director and shall be provided to the Chair of This Committee and to each candidate who has requested consideration. In order to be a voting member of a pre-endorsing conference, an individual’s membership must have been certified as indicated herein and their name must appear, or have had the right to appear, on the certified roster as described above. Nothing in this section relieves a Democratic Club of its obligation to submit its roster to the Regional Director by the date selected pursuant to Section 3(g)(5)(c)(1)(a) above.

(11) The Chair of the pre-endorsing conference is responsible for transmitting to the State Chair, in writing, the results of all votes taken within three days of the pre-endorsing conference.

(12) An incumbent seeking election to the same office currently held shall be automatically placed on the consent calendar of This Committee's endorsing convention unless:

(b) By a date that is between:

1. the date that the pre-endorsing conference roster of eligible participants has been determined by the Chair of This Committee, and
2. ten (10) days prior to the pre-endorsing conference, twenty percent (20%) of the eligible participants or two-thirds of a body composed of the Statewide Officers of This Committee plus the Regional Director(s) whose region(s) include(s) all or part of the district represented by the incumbent file a petition to include the incumbent in the endorsement process otherwise 44 indicated in this Section.

(13) The name of a non-incumbent or of an incumbent subject to Section 3.g.(12)(a) or Section 3.g.(12)(b) may be placed on the consent calendar of This Committee's endorsing convention upon receiving at least seventy percent (70%) vote, of those valid votes cast, at a pre-endorsing conference. The consent calendar shall be approved by a simple majority vote of This Committee. Upon approval of the consent calendar the candidate shall become the endorsed candidate of the Democratic Party. A name may be removed from the consent calendar by at least twenty percent (20%) of the members of This Committee resident and qualified by a date selected by the Chair of This Committee and publicized on the Party's website that is between sixty (60) and ninety (90) days prior to the State Endorsing Convention in the District in question or by at least twenty percent (20%) of the members of This Committee by filing a letter of objection with the State Chair no later than ten (10) days prior to the State Endorsing Convention. If a name is removed from the consent calendar, the By-Laws of This Committee regarding endorsements shall apply.

h. Post-Primary Endorsement Process: If a candidate was endorsed in the Primary, that endorsement shall remain in effect for the General Election. Otherwise:

(1) If there are two Democratic candidates

(a) In the case of a statewide race, the endorsement will be put before the next Executive Board.

(b) For all other races, the State Chair shall call to be convened a district endorsing caucus comprised of all members of This Committee resident in the district as of the date of eligibility for the immediately preceding Meeting of this Committee, except that:

i. Objections to Endorsements, Process for Review by the Election Appeals Committee: For those races subject to review by the Election Appeals Committee via the filing of a Letter of Objection, within fifteen (15) days after Secretary of State certification of the Primary Election,

twenty percent (20%) of the members of This Committee resident in the district in question except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(10) and 2a(12) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents, must sign and file with the Secretary of This Committee a Letter of Objection objecting to the endorsement of a particular candidate. Said Letter of Objection shall also be served on the candidate in question by the objecting parties by first class mail at the time the Letter of Objection is filed with the Secretary of This Committee. A certificate of service with the Letter of Objection shall be filed with the Secretary of This Committee along with the filing of the Letter of Objection. The Secretary of This Committee shall, upon receipt of said documents, serve a copy of them on the candidate and the members of the Election Appeals Committee within ten (10) days of filing of said objection. In the event a majority of the Election Appeals Committee objects to the endorsement of that particular candidate, such candidate shall not be the endorsed candidate of the Democratic Party.

(1) The Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. This committee shall be comprised of the Statewide Officers; the Regional Director(s) of the relevant district (or all Regional Directors in the case of a statewide election), two (2) Executive Board members, appointed by the Chair of This Committee, from each of the following committees: Rules, Credentials and Voter Services.

j. Process When No Convention Scheduled at Least Forty-Nine (49) Days Prior to the Partisan Primary: In the event a duly noticed "endorsing convention" is not scheduled at least forty- nine (49) days prior to the partisan primary:

(1) For districted races, the Chair of This Committee shall cause to be convened an endorsing caucus of the members of This Committee resident in the each relevant district, except that those members appointed by the appointing authorities for the offices described in Article II, sections 2a(10) and 2a(12) and not appointed pursuant to Article II, section 3c shall not be eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents may group such districts on a regional basis as necessary and shall designate a convener. No proxy voting shall be allowed - each member shall be sent a vote-by-mail ballot which shall be read off as though it were a roll call vote. Once received by the designated convener of the caucus, a ballot may not be retracted, rescinded, or otherwise changed and shall be counted in the totals. Lost ballots may be replaced at the caucus prior to the close of balloting. Each caucus may place on a consent calendar of the Executive Board of This Committee

Section 4. Nonpartisan Offices

b. Process for California Democratic Party Endorsement, Objection Process:

A Democratic candidate for nonpartisan office who has been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the California Democratic Party and shall be entitled to such privileges and benefits as may be attached thereto provided that: (1) The endorsing provisions of the relevant County Central Committee by-laws have been reviewed and approved by This Committee as consistent with its own By-Laws and with the fundamental rules of fairness to which the California Democratic Party is committed; and (2) A Democratic candidate who has been denied endorsement does not successfully argue before This Committee that there has been a significant violation of the endorsing provisions of the relevant County Central Committee when it rendered its endorsement. Any claim of by-laws violation must be filed with the State Party Chair within seven (7) days of County Committee endorsement. A 2/3 vote shall be necessary to uphold the violation claim.

f. California Democratic Party Non-Partisan Endorsement Responsibility and Process: This Committee shall be responsible for endorsing candidates in any race for nonpartisan office not identified in subsection a. above. In the event an endorsed candidate of This Committee for any such race is not in any runoff which may occur, the Executive Board of This Committee, at its next regularly scheduled meeting after the Primary Election, may endorse any registered Democrat by a sixty percent (60%) vote of those present and voting. In the case of nonpartisan offices which are not statewide but embrace all or part of two or more counties, This Committee shall delegate its endorsing power to a specially organized body including Democratic County Central Committee members resident in the election district. It shall be the responsibility of the State Chair, in consultation with the relevant County Committee Chairs to determine the manner in which that delegated power is to be implemented (e.g., to determine the voting rights of Associate members of the relevant County Committees, whether and how endorsing votes may be weighted to take into account the distribution of the district population among the affected counties, etc.)

Section 5. State Ballot Propositions, Initiatives, Referendum, or Recall

c. Automatic Opposition to Recall, Process to Support or Remain Neutral:

This Committee shall oppose the recall of any public office member registered as a Democrat mentioned in Article II, Section 3 of these By-Laws unless, within ten (10) days from the date of qualification of the recall petition, a resolution is presented to the Secretary of This Committee proposing that This Committee either support or remain neutral on the recall signed by either:

- (1) a majority of the members of This Committee resident in the district effected, or
- (2) a majority of the State Officers of This Committee.

d. Process if No Timely Meeting Scheduled:

In the event such a resolution proposing that This Committee either support or remain neutral on a recall petition of any public office member registered as a Democrat mentioned in Article II, Section 3 of these By-Laws is presented to the Secretary of This Committee, and no meeting of

This Committee or its Executive Board is scheduled within thirty (30) days prior to the recall election, the Chair of This Committee shall call a special meeting of the Executive Board of This Committee no later than thirty (30) days prior to the recall election to consider the resolution. Failure to adopt the proposed resolution shall result in opposition to the recall.

Article XII. Compliance Review Commission and Conduct Commission

Section 2. Compliance Review Commission

a. Jurisdiction

(5) During the period 120 days prior to any Primary or General Partisan Election, the Compliance Review Commission may, upon written request by the Chair of This Committee, issue an Order of Temporary Suspension of Charter, for a period of thirty days, of any charter issued by This Committee, for alleged violation of any of the above provisions, provided the request of the Chair of This Committee for suspension sets forth in writing the reasons therefore, and said request is served on the Chair of the Organization in question at their last known address of record on file with This Committee, the Secretary of This Committee, and the Chairs of the Rules, Credentials, and Organizational Development Committees of This Committee. In the event of the issuance of an Order of Temporary Suspension of Charter, the Compliance Review Commission shall also issue an Order to Show Cause why the suspension should not become permanent and request written argument thereon be submitted to the Secretary of This Committee within ten days, after which the Compliance Review Commission may take action under Section 5 herein, including the issuance of an Order of Revocation of Charter or rescission of the Order of Temporary Suspension of Charter.

Section 3. Conduct Commission

b. NOMINATION

The Chair of This Committee, in consultation with the Statewide Officers, shall nominate the members of the Conduct Commission.

c. RATIFICATION AND RETENTION

Persons nominated by the Chair shall be submitted to the Executive Board of This Committee for consideration for ratification by a majority vote of those members of the Executive Board, present and voting, a quorum being present. At the conclusion of the Term of Office, if a member desires to maintain their position, and every two years thereafter, the Executive Board shall conduct a vote as to whether to retain that member on the Commission, and that member shall continue to remain on the Commission only upon receiving a majority of all votes cast.

f. DUTIES

It shall be the duty of the Conduct Commission to:

- (1) Work with the Independent Ombudsperson selected by the Chair of This Committee in consultation with the Statewide Officers of This Committee and approved by a majority vote of those members of the Executive Board, present and voting,
- (2) Receive reports regarding completed investigations of alleged violations of the Code of Conduct from an Investigator selected by the Independent Ombudsperson from a list prepared by the Chair in consultation with the Statewide Officers of This Committee and approved by a majority vote of those members of the Executive Board, present and voting,
- (4) Recommend discipline to the Chair and Officers. on the basis of such reports and recommendations of the Investigator(s), within thirty (30) days of the Commission's receipt of a written report by an Independent Investigator. Discipline recommendations may include, but are not limited to: a. Private Admonishment; b. Public Admonishment; c. Suspension of Rights for a time period not to exceed 180 days; d. Removal from Office; and/or e. Removal from Membership,
- (5) Discipline: The Chair and Officers shall implement any recommendations as to discipline made by the Conduct Commission unless the Chair and Officers vote to depart from a 60 recommendation by a two-thirds (2/3) majority vote and provide a written explanation for the departure,
- (6) When the Chair or an Officer is alleged to have violated the Code of Conduct, the Conduct Commission shall prepare a report with disciplinary recommendations and provide it to the Executive Board, which shall implement those recommendations unless the Executive Board votes to depart from a recommendation by a two-thirds (2/3) majority vote, of those present and voting.

EXHIBIT E

TO: Rules Committee, California Democratic Party
FR: Sub-Committee on Standing Committee: Drexel Heard II, Sub-Committee Co-Chair; Jay Hansen, William Wong, Melahat Rafiei, Sergio Carrillo, Jimmie Woods-Gray and Luis Zamora
RE: Status of Matter referred to Rules Sub-Committee on Standing Committees
DA: 20 February 2021

The Sub-Committee reviewed the last Sub-Committee and Rules Committee Minutes and Packets, and the matters which were referred to our Subcommittee, and their status, is as follows:

I. CYD Ambassadors Proposal:

M/S/P to table.

This proposed amendment was requested by CDP Chair Rusty Hicks, and drafted by CDP Rules Committee Co-Lead Chair, Garry S. Shay. It was adopted by the CDP Rules Committee as its November 15, 2019, meeting and referred to the July 26, 2020, Executive Board Meeting and referred back to the Rules Committee for further review; at its November 14, 2020 meeting, the Rules Committee referred it to the Sub-Committee on Standing Committees.

II. Scoville Proposal and Committee Procedural Rules

M/S/P to return back to subcommittee for further discussion.

Carrie Scoville and “Blue Revolution” submitted a proposal to provide for Procedures for each Standing Committee largely patterned after, but supplanting, CDP Bylaws Article IV, Section 8 governing Resolutions Procedures.

The Rules Sub-Committee on Standing Committees met and Lead Co-Chair Garry Shay and member Drexel Heard were tasked with developing a questionnaire to solicit input from the other Standing Committees on the Attached proposal. The Proposed questions were approved at the 2020 July Executive Board.

This proposed amendment was requested by CDP Chair Rusty Hicks, and drafted by CDP Rules Committee Co-Lead Chair, Garry S. Shay. It was adopted by the CDP Rules Committee as its November 15, 2019, meeting and referred to the July 26, 2020, Executive Board Meeting and referred back to the Rules Committee for further review; at its November 14, 2020 meeting, the Rules Committee referred it to the Sub-Committee on Standing Committees.

Ms. Blackerby requested appointment to this sub-committee for the purposes of having input on this item. That request was denied, as no changes, other than as a result of resignation as a Sub-Committee Chair, or new appointment of a new member to the Rules Committee, have been made, and further, there have been too many such other requests to allow for their accommodation.

That said, it is the Lead Co-Chairs' request that she be treated as an Ex Officio member of the sub-committee, on this item only, with right of voice.

ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES

* * *

Section 3. APPOINTMENT OF MEMBERS OF COMMITTEES

- a. Except as set forth herein below, The Chair of This Committee shall appoint from fifteen to thirty members of This Committee to each of the Standing Committees mentioned herein. For all Committees without exception, the Chair of This Committee, in making these appointments, shall take into consideration the Party's commitment to non-discrimination, affirmative action, inclusiveness, and diversity including, but not limited to such things as: race, color, creed, national origin, sex, gender identity, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990, economic status. The geographical location of the appointees, including their residence in urban, suburban, or rural communities, shall also guide the Chair of This Committee in making appointments to each Standing Committee.
- b. The Chair of This Committee may also appoint up to three (3) members of the California Young Democrats (CYD) to each Standing Committee to serve as nonvoting Ex Officio members, with right of voice. These Ex Officio members shall be known as "CYD Ambassadors". In the appointment of these CYD Ambassadors, the overall appointment of such members shall, in their total number, adhere to the Equal Division Rule.

AD70 Blue Revolution Proposal – Standing Committee Proposals

Argument in favor of proposal:

Current language allows only Resolutions to be approved for submission at CDP Regional Meetings.

This Rules change is intended to expand the scope of Regional Meetings to have the ability to accept proposal submissions for any Standing Committee, not just Resolutions. This will empower delegates to introduce proposals for the Rules Committee, Legislation Committee, Platform Committee (during periods of testimony solicitation), and the rest that are debated and have achieved the consensus of a collective body of delegates.

This change will enable greater participation of delegates in the formative bodies of the Party and facilitate a better understanding of how the Party operates.

All subsections of this passage are modified with the exception of subsection c. Late / Floor Resolutions which remains unchanged as it is unique to the passage of resolutions.

Respectfully submitted,

Carrie Scoville
AD70 Delegate

ARTICLE IV: MEETINGS

Section 8. ~~RESOLUTION~~ **STANDING COMMITTEE PROPOSAL PROCEDURES**

a. Form

- (1) ~~All resolutions must be typed.~~ The proposal format guidelines shall be determined by each Standing Committee and posted on the Committee webpage.
- (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 **Standing Committee proposals resolutions** must be adopted by a County Central Committee, or a Chartered Democratic organization 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, per Article III, Section 4d.

b. Timely ~~Resolutions~~ **Proposals**

(1) ~~Resolutions~~Standing Committee proposals must be received by the State Chair of the Party, thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.

(2) The State Chair of the Party shall mail copies of ~~resolutions~~proposals submitted according to the above procedure to all members of the ~~Resolutions~~Standing Committee prior to a meeting of This Committee.

c. Late / Floor Resolutions

(1) Twenty-five (25) copies of each resolution must be provided to the Resolutions Committee by the sponsor(s) of the resolution.

(2) All resolutions to be considered at a meeting of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general session. In order to be considered at the general session, a late resolution must have the unanimous consent of the Resolutions Committee to be considered and all resolutions must be approved by the Resolutions Committee. Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor of a meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee.

(3) All resolutions to be presented from the floor shall be submitted to the Secretary of the Convention for signature verification by 5:00 p.m. on the day before the resolution is presented.

(4) The sponsor of a resolution presented from the floor shall be responsible for providing the Secretary of the Convention with sufficient copies of their resolution for each member of This Committee.

d. ~~Resolutions~~Standing Committee proposals pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such ~~resolutions~~proposals shall first be presented to the ~~Resolutions~~Standing Committee for recommendation to the Executive Board. The ~~Resolutions~~Standing Committee shall recommend: adoption, adoption with amendment, or rejection. Such ~~resolutions~~proposals 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~~Standing Committee.

Links to Procedures for Various Standing Committees:

CRC Procedures

<https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/09/18190817/CRC-Procedural-Rules-FINAL-071320.pdf>

Organizational Development Chartering Procedures

<https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/06/03110206/od-charter-guidelines.pdf>

Legislation Procedures

https://cademorg-media.s3.amazonaws.com/wp-content/uploads/2020/06/03103102/Legislation_Guidelines_2012.pdf

Resolutions procedures

<https://cadem.org/our-party/standing-committees/resolutions-committee/procedural-rules-how-to-submit-a-resolution/>

Rules Caucus Certification Procedures:

This is being reviewed by the Subcommittee on Caucuses, but if you have some overarching rules for the other committees, please let Laurence Zakson know.