

# **Procedural Rules of the California Democratic Party Resolutions Committee**

**Revised and Approved August 27, 2021**

## **Preamble**

The following is the result of work by the CDP Resolutions Committee, in consultation with the Rules Committee, to clarify and codify the procedures of the Resolutions Committee, as per CDP By-Laws Article V, Section 5c which reads in part:

"The Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with these By-Laws."

For the most part, these "Procedural Rules for the Resolutions Committee of the California Democratic Party" detail past procedures that the Committee has used in processing the large volume of requests sent to their Committee. The Resolutions Committee has worked with a number of people in drafting and finalizing this document in its attempt to clear up any potential confusion regarding the process.

## **I. Authority**

Pursuant to the California Democratic Party (CDP) Bylaws & Rules, Article V Section §5(c), "the Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with" the CDP Bylaws.

Except as otherwise provided in these Procedural Rules or CDP Bylaws, the Resolutions Committee (hereinafter: "the Committee") will be governed by Robert's Rules of Order. Except as otherwise provided herein, these Procedural Rules may be suspended by a two-thirds ( $\frac{2}{3}$ ) vote of the Committee members present and voting at a meeting of the Committee.

The Committee may set rules at Committee meetings for debate by members and will set rules allowing the contact of a timely resolution to speak in support of the resolution during a Committee meeting.

The Committee shall not send to the floor of a General Session any resolution calling for a change in the CDP Bylaws, platform, operations; nor stating the endorsement of, support of a candidate for public office, nor opposition to a candidate who is a registered Democrat; nor mandating or restricting the spending of money by the CDP; nor calling for a pardon, clemency or any other legal act reaching a conclusion of law or legality. Note that this prohibition may not be suspended in any circumstance.

## **II. Committee Chairs**

The Committee will be presided over by Lead Chairs appointed by the CDP Chair. A lead chair may delegate responsibility to one or more chairs to conduct business between meetings of the Committee.

The responsibilities and powers of the Lead Chair(s) include, but are not limited to:

- A. Conferring with staff and resolution contacts or others as needed prior to the annual CDP Convention or Executive Board meetings, to develop a consent calendar for the Committee or otherwise help ensure the smooth operation of Committee meetings.
- B. Acting as agents of the Committee, negotiating on behalf of the Committee to draft amendments, resolutions, or substitute resolutions; or appointing other members of the Committee or CDP staff to perform such roles.
- C. Presiding over meetings of the Committee.
- D. Conferring with the CDP Chair and staff concerning resolutions or resolutions procedures.
- E. Representing the Committee in discussions and negotiations with other committees or caucuses.
- F. Issuing parliamentary rulings at Committee meetings or when acting as Chair during a General Session of an annual CDP Convention or Executive Board meeting.

### **Committee Members Submitting and Sponsoring Resolutions:**

Committee Members are discouraged from directly authoring or sponsoring resolutions as it could constitute a conflict of interest and may be asked to recuse themselves from participating or voting in committee proceedings where such a conflict exists.

Note that decisions made by a lead chair or his/her appointee are not binding on the entire Committee, which may decide by vote at a Committee meeting to take an action other than that pursued by a lead chair or his/her appointee outside of a Committee meeting.

### III. Format and Submitting a Resolution

All resolutions must:

- A. Be typed.
- B. When submitted, **must** fit on a single 8 ½" x 11" page;
- C. Format: Must NOT be written in sentence format (see Resolutions page for previously posted resolutions for proper formatting).
- D. Clauses: Contain no more than three "inducement" or "whereas" clauses and no more than two "resolve" clauses; and the whereas clauses must contain facts and allegations that build a logical case to and are directly connected to the solutions contained in the principles being proposed in the resolved clauses;
- E. Length: Shall be no longer than 400 words, including the title
- F. Be authored by members of This Committee, and;
- G. Sponsors: Be sponsored by members of This Committee; all resolutions presented to the Committee for passage at any meeting of This Committee must either previously have been adopted by **one** of the following, as described in Article III, Section 4d of the CDP Bylaws: a Democratic Central Committee, a Chartered Democratic Organization, twenty-five (25) Democratic State Central Committee members, majority of the voting DSCC members in attendance at a Regional meeting. When a resolution is sponsored by one or more DSCC members, the sponsors and their respective assembly districts must appear at the bottom of the text of the resolution. NOTE: Only as many sponsors as fit on the single 8 ½ X 11 page below the resolution will be listed.
- H. Contact: The following information about a single contact and alternate (if any) must appear at the bottom of every resolution: name, AD#, email and phone. **ONLY** the sponsor contact or if the contact is not able, then the alternate will be considered to have full authorization to negotiate with a lead chair of the Committee or his/her appointee regarding changes to or disposition of the resolution. The Committee will only negotiate and hear testimony from the designated contact or alternate contact (one only).
- I. Submission: Resolutions may **ONLY** 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.
- J. Submission Deadline: Submission deadline will be thirty (30) days, at noon (12 pm) on the day the Committee is set to meet for its 1st Resolution meeting at a Convention or Executive Board Meeting of This Committee.
- K. California Democratic Party: All resolutions submitted for passage by the Committee must **ONLY** refer to the California Democratic Party.

#### **IV. Form of Resolutions**

Statements of Principles: Resolve clauses must be statements of principles and may not mandate or condition support or action, or be subject to consideration by virtue of Article VIII, Section 5 of the Bylaws of the California Democratic Party. The resolution title should accurately reflect the subject matter of the resolution and should be a single subject.

All information, references, numbers or statistics should be verifiable and reasonably accurate.

Any resolution calling for a change in the CDP Bylaws or platform, mandating or restricting the spending of money by the CDP, or stating the endorsement of, support of a candidate for public office, or opposition to a candidate who is a registered Democrat, shall not be heard by the Committee and therefore may not be brought to the floor under any circumstances.

Resolutions shall not be highly technical, contain or endorse complex legal concepts (broad unqualified endorsements of existing legal documents, treaties/conventions) or contain detailed policy recommendations.

Resolutions should not contain falsehoods, be defamatory or contain hate speech targeting race, religion, ethnic identity, gender identity, family status or national origin.

Resolutions should generally not reference specific bill numbers, legislation, or legislative acts. A resolution that references any of these will normally be returned to the contact to be rewritten as a statement of principle or be referred to the Legislative Committee.

The Committee will, at any annual CDP Convention or Executive Board meeting that immediately precedes an election, consider and recommend to the floor a CDP position on each ballot measure certified by the Secretary of State for the upcoming election. No resolution supporting, opposing, or recommending a neutral position on a ballot measure is necessary and none will be considered. Democratic entities wishing to communicate their position on a ballot measure should do so at the meeting of the Committee.

No resolution shall contradict or call for a change in the CDP Bylaws or platform; nor state the endorsement of, support of a candidate for public office, nor opposition to a candidate who is a registered Democrat; nor mandate or restrict the spending of money by the CDP.

## **V. Actions That May be Taken by The Committee**

Once a resolution is submitted to the Committee, it becomes the "property" of the Committee. As such, the Committee shall have authority to take any of the following actions with respect to a submitted resolution: send to the floor of a General Session; postpone to another meeting; refer back to the contact; grant a request by the contact for withdrawal of the resolution; allow for a one-time addition of sponsors; or refer to another CDP committee, a CDP caucus, a county Democratic central committee, or other local Democratic entity. Furthermore, the Committee may amend or rewrite the resolution, merge it with another resolution, or provide a substitute resolution prior to sending it to the floor of a General Session.

The Committee uses codes to define the status of each resolution at each Convention and Executive Board Meeting. The following will provide guidance for Committee members, authors, contacts, DSCC members on the coding for resolutions:

CODE	NAME	
1	Debated and Passed	Resolution is discussed in Committee and Passed as presented. Resolution on the consent calendar for E-Board or Convention Floor Vote.
2	Debated, Amended, and Passed	Resolution is discussed in Committee and/or amended at any point during Committee Process, and Passed. Resolution on the consent calendar for E-Board or Convention Floor Vote.
3	No Debate and Passed	Resolution is passed as presented to the Committee. Resolution on the consent calendar for E-Board or Convention Floor Vote.
4	Reaffirmation	Resolution Subject Matter deals with the subject matter previously passed by the E-Board or Convention. Resolution does not appear before the E-Board or Convention for a Floor Vote.
5	Debated and Failed	Resolution is debated and not passed by the Committee. Upon gathering requisite signatures, verified by CADEM Staff, Resolution may be brought to floor of E-Board or Convention for a Floor Vote.
6	Object to Consideration	Resolution fails to meet the Resolution Committee Rules and the Contact fails to respond to Committee's communications. Resolution does not proceed.
7	Referred	Resolution is sent to a separate entity for consultation or for action (The resolution is calling for an action or idea that is not under the purview of the Resolution Committee).
8	Tabled	Resolution is delayed until the next meeting of This Committee, so the Resolutions Committee can conduct research on the subject matter and seek outside Counsel on the subject matter.
9	Postponed	Resolution is delayed to the next meeting of This Committee at the request or consent of the Resolution Contact.
10	Out of Order	Resolution does not conform with Resolution Committee Rules. Resolution does not proceed.

11	Old Business	Resolution subject matter is no longer timely. Resolution does not proceed.
12	Returned to Author	Resolution returned to the author to fix procedural errors. Resolution is delayed until the next meeting of This Committee.
13	Incorporate/Combine	Multiple Resolutions on substantially similar subject matter are being combined/incorporated/merged into one Resolution for Consideration.
14	Substitute	Completely new Resolution created, formed from the subject matter of other Resolutions submitted that have been given a code 13.

Resolutions with Codes 1, 2, 3, 4, 5, and 14 require an affirmative vote to be heard by a majority, 50% + 1, of those members present and voting to pass the Resolutions Committee.

Resolutions with Codes 6, 7, 8, 9, 10, 11, 12, and 13 require an affirmative vote to be heard by two-thirds (2/3) of the Co-Chairs present and voting to change the code to something else.

**Process for Verification of Acceptance**

If a lead chair, or his/her appointee, or the Committee proposes changes to a resolution (other than minor technical or grammatical changes), the contact will be notified of such proposed modifications. In the case of a resolution with multiple sponsoring individuals or organizations, the contact is responsible for communicating with the other sponsors and determining whether they wish to continue to be listed as sponsors of the resolution in its new format. The contact will notify the Committee of the decision at the time an agreement is reached with the Committee as to any changes to the resolution and the contact formally signs off those agreed to changes or withdraws from the resolution. If no notification is received from the sponsor contact authorizing the inclusion of the names of sponsoring individuals or organizations, the resolution will become a Committee sponsored resolution.

A. Referral to Other Entities: Prior to an annual CDP Convention or Executive Board meeting, the Committee’s lead chair(s) or their appointee will attempt to identify resolutions referencing issues that fall under the purview of another CDP committee or caucus. To the extent possible within the time available, resolutions being referred will be forwarded to the appropriate committee or caucus chairperson with sufficient time to allow the receiving entity to review and act, or recommend action, at the subsequent annual CDP Convention at which resolutions are considered (odd numbered years only) or Executive Board meeting.

When a lead chair or his/her appointee intends to refer a resolution that was submitted at least 30 days in advance of the upcoming annual CDP Convention or Executive Board meeting, he or she will notify the sponsor contact of this decision no later than 10 days prior to the upcoming annual CDP Convention or Executive Board meeting.

B. Resolutions Returned to Their Sponsors: Resolutions calling for action by a local Democratic organization or Democratic central committee will be returned to the sponsor contact and will not be considered to have been received by the Committee until the error is corrected. A sponsor contact may be asked by a lead chair or his/her appointee, prior to the beginning of an annual CDP convention or Executive Board meeting, to modify a resolution. If the requested changes are submitted no later than 10 days before the CDP Convention or Executive Board meeting, the modified version will be heard by the Committee.

C. Resolutions Determined to be Reaffirmations: The Committee may declare that a newly submitted resolution is a reaffirmation of a previously passed resolution if the principle stated in the new resolution is substantially the same as that of a previous resolution. If a resolution is determined to be a reaffirmation, it will simply be adopted as such by the Committee and will not be sent to the floor of the General Session for a re-vote.

D. Prioritization and Action on Timely Resolutions: At an annual CDP Convention that takes place in an odd numbered year, the Committee shall send to the floor of a General Session (also known as “prioritizing”) between 10 and 15 resolutions for consideration by the Convention delegates. At a CDP Executive Board meeting there shall be no minimum or maximum number of resolutions sent to the floor of a General Session. The Committee will take action on all timely resolutions no later than noon (12 pm) on the day prior to the last scheduled General Session. The purpose of this deadline is to allow the sponsor of any resolution that was not sent to the floor of a General Session by the Committee, sufficient time to take action to bring their resolution directly to the floor as described in Section VIII below.

## **VI. Timely Resolutions**

For a resolution to be considered timely it must be received via online submission form (preferred & recommended method-or mailed to the CDP Sacramento office at 1830 9th Street, Sacramento, CA 95811 no later than noon (12 pm) 30 calendar days prior to convening of the Committee at a CDP Convention, or no later than noon (12 pm) 30 calendar days prior to convening the Committee at an Executive Board meeting. The cutoff time shall be posted on the CDP Resolutions page. Resolutions submitted via email will not be accepted.

Resolutions may be presented to the Committee for passage at any Executive Board meeting or at an annual CDP Convention that will take place in an odd numbered year. Resolutions are not considered by This Committee at "Platform Conventions," which occur in even numbered years; provided nothing herein shall prevent the Resolutions Committee from meeting at “Platform Conventions” to consider resolutions in committee, or consider resolutions as may be allowed by the Rules of Convention. Should the Committee meet during a “Platform Convention”the report of all work done by the Committee will be held over to the Executive Board meeting immediately following the “Platform Convention” meeting.

## VII. Late Resolutions

Resolutions not complying with the above time limits, for either Executive Board meetings or annual CDP Conventions, will be termed "late resolutions."

At Virtual Meetings of This Committee, no late resolutions will be accepted.

Late Resolutions at in person meetings of This Committee:

1) a late resolution may be considered for passage;

a. the late resolutions shall only address issues that were unknown before the resolution submission deadline

b. the sponsor of the resolution shall provide the CDP staff with 35 printed copies of the resolution for use by the Committee members no later than noon (12 pm) before the announced Committee meeting date and time.

c. each late resolution will be put to the Committee one by one and require an affirmative vote to be heard by two-thirds ( $\frac{2}{3}$ ) of those members present and voting, the vote taking place at the beginning of the meeting with those resolutions gaining two-thirds ( $\frac{2}{3}$ ) approval required to be heard will be handled as described in item 1d.

d. to give the "approved late resolutions" the same consideration as all resolutions on the consent calendar, the following will be the procedure: Committee members will receive the resolution from Staff and Lead Chairs will assign Co-Chairs and the break period during which the language will be reviewed, Contact will need to be available by phone if needed for clarification or rewrite.

e. any resolutions not qualifying to be heard must be submitted for the next Convention or Executive Board: Resolutions can be submitted one of two ways in addition to supplying printed copies ; via online submission form (preferred and recommended method); or mailed to the CDP Sacramento office located at 1830 9<sup>th</sup> Street, Sacramento, CA 95811.

## **VIII. Floor Resolutions**

As described in Section V above, some resolutions will not be sent to the floor of a General Session by the Committee, or will not be sent to the floor as originally submitted. The sponsor of a timely resolution that was defeated, or tabled shall have the right to gather signatures to directly present the resolution to the floor according to the procedures described in this section.

Article IV, Section 8c (2) and Article VII, Section 7d of the CDP Bylaws prohibit certain types of resolutions being brought to the floor of any General Session.

To bring a timely resolution, that was defeated or tabled, to the floor of an annual CDP Convention, the sponsor of the resolution must obtain the signatures of 300 credentialed DSCC delegates on official forms that will be provided by the Committee after it has taken final action on the resolution. Those signatures must be submitted to the CDP staff no later than 5:00 pm on the day before the resolution is to be brought to the floor of a General Session. If 300 signatures are verified, the sponsor of the resolution will, prior to the beginning of the General Session at which the resolution is to be brought to the floor, provide the Secretary of the Convention with sufficient printed copies of the resolution for each DSCC delegate in attendance.

To bring a timely resolution, that was defeated or tabled, to the floor of an Executive Board meeting, the sponsor of the resolution must obtain the signatures of 135 credentialed DSCC Executive Board members or 40% of the entire Executive Board (whichever is fewer) on official forms that will be provided by the Committee after it has taken final action on the resolution. Those signatures must be submitted to the CDP staff no later than 9 am on the day of the General Session at which the resolution is to be brought to the floor. If 135 signatures are verified, the sponsor of the resolution will, prior to the beginning of the General Session at which the resolution is to be brought to the floor, provide the Secretary of the Convention with sufficient printed copies of the resolution for each Executive Board member in attendance.<sup>33746g</sup>

## **IX. Non-Prioritized Resolutions**

Any resolution passed by the Committee at an annual CDP Convention that was not prioritized or successfully brought to the floor as described in Section VII above, or any prioritized resolution not acted upon by the delegates to an annual CDP Convention, will automatically be heard by the Committee at the next Executive Board meeting.

## **X. Miscellaneous**

Resolutions adopted at an annual CDP Convention or Executive Board meeting will be posted on the CDP web site. Any resolution coded as a reaffirmation will be posted to the CDP website under the heading "Reaffirmations". These resolutions do not go to the floor.