

California Democratic Party Rules Committee Agenda
Friday, November 17, 2023 at 4:00pm

FULL PACKET CAN BE FOUND HERE: <https://cadem.org/standing-committee/rules-committee/>

- I. Roll Call
- II. Meeting Called to Order
- III. Adoption of Meeting Agenda p. 1
- IV. Subcommittee Reports p. 2-14
 - A. Caucuses Subcommittee p. 3-5
 - a. Report from Subcommittee on Caucuses
Chair: Zakson, Members: Alcala, Bowler, Burckhard, M. Garcia, I. Garcia, Lee, Woods-Gray and Zhang
 - B. County Bylaws Subcommittee p. 6-8
 - a. Report from Subcommittee on County Bylaws
Chair: Torello, Members: Glazer, Alari, I. Garcia, Gallotta, Jaycox, Narayana, Souza, Torres and Woods
 - C. Chartered Organizations Subcommittee
 - a. Oral Report from Subcommittee on Chartered Organizations
Chair: Fernandez, Members: Narayana, Bitner, Harris, Glazer, James, Souza, Shay and Zernitskaya
 - D. Miscellaneous Items Subcommittee p. 9-12
 - a. Oral Report from Subcommittee on Misc. Items
Chair: Hernandez, Members: Jaycox, Phillips, Zakson, M. Garcia, Schultz, Harris, Torres, Fernandez and Shay
 - E. Standing Committees Subcommittee p. 13-14
 - a. Report from Subcommittee on Standing Committees
Chair: Shay, Members: Lee, Woods-Gray, Alcala, Jaycox, Mojadedi, Harris, Alari and Torres
- V. Proposed Bylaw Amendments p. 15-29
 - A. Proposal by Rocky Fernandez to amend Article III, Section 4(d) p. 16-17
 - B. Proposal by Steve Chessin to amend Article VI, Section 1(i) p. 18-19
 - C. Proposal by Carrie Scoville to amend Article VIII p. 20-21
 - D. Proposal by Naida Tushneet to amend Article V, Section 7 p. 22-23
 - E. Proposal to by Christopher Duvali to amend Article V, Section 7 p. 24-26
 - F. Proposal to by Christopher Duvali to amend Article V, Section 7 p. 27-29
- VI. New Business p. 30-32
 - A. Proposal by Rules Committee Co-Chairs to amend Article IV, Section 6(a) to allow people who are not eligible to register as a Democrat but would register if they were eligible, to hold proxies
- VII. Adjournment

SUBCOMMITTEE REPORTS

SUBCOMMITTEE ON CAUCUSES REPORT

MEMORANDUM

TO: CDP Rules Committee

FROM: Laurence Zakson & Izeah Garcia for the Subcommittee on Caucuses

RE: Caucus Recertification Status

DATE: 11/3/2023

We are pleased to report that the certification process has proceeded much more quickly and with many fewer issues than in years gone by.

Below, please find an abbreviated status chart.

Caucus Name	Bylaws Approval Status
AAPI	Approved for adoption by Caucus
Arab	Ready for approval; one typographical error to correct
Black	Conference call to discuss issues to be held later this month
Chicano Latino	2 nd notice sent 10/25; response received on 11/2
Children's	2 nd notice sent 10/25; response received 10/31. On tentative review, remaining issues after 10/31 response seem minor.
Computer & Internet	2 nd notice sent 10/25; necessary changes are minor and largely, but not exclusively, formatting
Disabilities	2 nd notice awaiting final proofread & approval by Rules Committee Co-Chairs; necessary changes are minor and largely, but not exclusively, formatting
Environmental	2 nd notice awaiting final proofread & approval by Rules Committee Co-Chairs; some previously requested changes were not made, but what remains to be done is relatively minor

Filipino American	3 rd notice awaiting final proofread and approval by Rules Committee co-chairs; necessary changes are minor, fairly technical wording and formatting changes
Irish American	2 nd notice sent 10/25; response received 10/31. On tentative review, changes, if any, will be minor
Labor	2 nd notice awaiting final proofread and approval by Rules Committee co-chairs; some previously requested changes were not made, but what remains to be done is relatively minor
LGBTQ	Approved for adoption by Caucus
Native American	2 nd notice awaiting final proofread and approval by Rules Committee co-chairs; only required non-formatting change is correction of title
Progressive	2 nd notice sent 10/25; response received on 11/1. On tentative review, it appears ready for adoption.
Rural	2 nd notice sent 10/25. Necessary changes are minor and mostly, but not exclusively, formatting
Senior	2 nd notice sent 10/25; response received 10/26. On tentative review, it appears ready for adoption.
Small Business & Professionals	2 nd notice sent 10/25; necessary changes are minor and fairly technical wording or formatting changes
Veterans	2 nd notice sent 10/25; necessary changes are minor and fairly technical wording or formatting changes
Women's	2 nd notice awaiting proofreading and approval by Rules Committee co-chairs; necessary changes are primarily formatting and technical wording, but some are attributable to failure to select an option where an option must be selected.

SUBCOMMITTEE ON COUNTY BYLAWS REPORT

MEMORANDUM

To: Coby King and Valeria Hernandez, Lead Chairs of the CDP Rules Committee

From: Robin Torello, Chair and Glenn Glazer Vice-Chair of the Subcommittee on County Bylaws

Date: November 1, 2023

Re: Status Report of the Subcommittee on County Bylaws

The California Democratic Party (CDP) Bylaws, state that a Democratic candidate for nonpartisan office who have been endorsed by their County Central Committee shall also be considered to be the endorsed candidate of the CDP provided that the endorsing provisions of the relevant County Central Committee Bylaws have been reviewed and approved by the CDP as consistent with its own Bylaws and with the fundamental rules of fairness.

Since June of this year, the following Democratic Central Committees submitted their Bylaws and other governing documents to the County Bylaws Subcommittee for review:

El Dorado County
Imperial County
Lake County
Los Angeles County
Merced County
Riverside County
Santa Cruz County
Sonoma County
Stanislaus County

Of those reviewed, El Dorado County, Lake County, Riverside County and Stanislaus County are being put forward for approval at the Rules Committee meeting at the Convention on November 17, 2023.

Merced County could not be reviewed at this time since the Checklist was not completed and submitted to the County Bylaws Subcommittee.

For the remainder of the County Central Committees submissions reviewed, we will be notifying them in writing as to why additional changes to their governing documents is necessary for approval:

1. A preliminary review of the ***Santa Cruz County Democratic Central Committee*** governing documents were done and a few deficiencies were identified. The Chair Andrew Goldenkranz was notified in September that their governing documents were missing references as to how to remove DSCC delegates (Checklist E) when necessary and the

filling of the vacancies. Further their documents need to reflect how to calculate the number of DSCC delegates they are entitled to (Checklist H1) and the process for electing members to the DSCC. Chair Goldenkranz notified us that their DCC will work on adding these provisions to their governing documents and will return for bylaw review, but not before the November Convention.

2. The Sonoma County Democratic Party submitted their governing documents for review. It was determined that the documents need further amending particularly in the area of notices for the candidate endorsement process along with a definition of “member in good standing” in order to understand who is eligible to vote in the endorsement process.
3. The Imperial County Democratic Central Committee Bylaws were submitted, but rejected after review. The Chair of Imperial County Michael Luellen was contacted to discuss what corrections need to be made to be reconsidered. The Checklist item (H1) requires information in their governing documents to define members who are eligible for DSCC delegate selection, and to include the “1 per 10,000” formula per the CDP bylaws.
4. Los Angeles Democratic County submitted their governing documents for review. Their documents did not contain the DSCC delegate selection (“1 per 10,000” formula); along with information how to fill a DSCC vacancy and some other minor changes.

Once the Rules Committee meets and the DSCC members accept our report, we will reach out in writing to all those counties who applied and inform them of the decision from the November 2023 Convention.

**SUBCOMMITTEE ON
MISC. ITEMS
REPORT**



Memorandum

TO: Rules Committee

From: Ben Seinfeld and Emma Harper

Date: August 17, 2023

RE: Request for Bylaw Amendments on In-Person v. Virtual Meetings

The California Democratic Party embraced virtual meetings during the Pandemic as a way to continue the business of the party. The bylaws were amended to allow virtual meetings during the pandemic. With the end of Public Health Orders at the Federal, State, and Local Level, CADEM has the opportunity to go back to in person meetings, but also review what meetings the party runs that could remain virtual.

The CADEM staff is requesting the Rules Committee review the attached proposal and investigate what bylaws should be adopted to provide the party greater flexibility in authorizing virtual meetings.

Proposal

Staff has compiled a list of all meetings mentioned in the bylaws and put them into Table 1, on page 2. We also provided context of whether the meeting can be held virtually and what was the best format in the opinion of staff. Additionally, we proposed Rules that could be applied to each meeting type, who decides if a meeting is virtual, and what conditions would need to be met.

For logistical and credentialing reasons, the staff does not believe that there should be any Hybrid Meeting options. If a meeting is in person, there can be broadcasting options, but anyone watching the meeting should not be able to participate as a full member of the meeting. This creates serious credentialing challenges for staff and all those involved in running a meeting.

Conclusion

Staff hopes that this starts the discussion of creating new rules around in-person and virtual meetings. We are happy to provide additional testimony and information as requested by the committee.

TABLE 1

Meeting	Can it be Virtual?	What is preferred	Proposed Rule
Convention "Meetings of this Committee"	Yes	In-Person	In-Person, unless health order
Executive Board	Yes	In-Person/Virtual for most winter EBoard Meetings	In-Person, unless health order, or a National Convention, Convention, or Executive Board within 60 days of the proposed Executive Board. Consideration for the November EBoard to be virtual if possible.
Special Executive Board	Yes	Virtual	In-Person or Virtual at the discretion of the officers.
Regional Meetings	Yes	Hybrid/Virtual	At the discretion of the Regional Director
Endorsing Caucus	Yes	Virtual	In-Person (brick and mortar location must be set for in advance) or Virtual at the discretion of the officers.
Special Endorsing Caucus	Yes	Virtual	In-Person (brick and mortar location must be set for in advance) or Virtual at the discretion of the officers.
Pre-Endorsing Conference	Yes	Virtual	In-Person or Virtual at the discretion of the officers.
Compliance Review Commission	Yes	Virtual	In-Person or Virtual at the discretion of the CRC.
Standing Committee	Yes	Either	Must match the format of meetings of this Committee. Outside of meetings of this committee, In-Person or Virtual at the discretion of the Lead Co-Chairs.
Special Elections Appeals Committee	Yes	Virtual	In-Person or Virtual at the discretion of the officers.
Primary Endorsement Review Committee	Yes	In-Person	Preference is to match the format of meetings of this Committee. May be changed at the discretion of the officers.
Statewide Officers - Membership Removal	Yes	Either	Preference is to match the format of meetings of this Committee. May be changed at the discretion of the officers.

ADEM Election Meetings	Not Sure	In-Person	In-Person, unless health order
DNC Delegation Meeting	Yes	Either	Must match the format of meetings of this Committee. Outside of meetings of this committee, In-Person or Virtual at the discretion of the officers.
DNC Selection Committee	Yes	Virtual	Must match the format of meetings of this Committee. Outside of meetings of this committee, In-Person or Virtual at the discretion of the officers.
DNC District Level Delegate Elections	Not Sure	In-Person	At the discretion of the Presidential Campaigns in accordance with DNC rules and procedures.
Caucus Meetings	Yes	Either	At the discretion of the Caucus Chair. Caucus Meeting with Officer elections must be in person. In-Person meetings may be broadcasted.
ADEM Vacancy Fill Elections	Yes	Virtual	There is no need to hold this meeting in person, as a sudden vacancy may be caused due to someone vacating the position and must be filled quickly.

**SUBCOMMITTEE ON
STANDING
COMMITTEES
REPORT**

TO: Rules Committee, California Democratic Party

FR: Sub-Committee on Standing Committees: Garry Shay, Subcommittee Lead Chair; Olivia Lee, Jimmie Woods-Gray, Michael Burckhard, Jose Alcala, Katie Jaycox, Harris Mojadedi, Maria Harris, Steven Alari, Omar Torres and Ex-Officio Member Co-Chair, Valeria Hernandez

RE: Report of the Sub-Committee on Standing Committees

DA: October 26, 2023

The Subcommittee on Standing Committees met on Thursday, October 26, 2023 and the following are the report for that meeting:

I. With 7 members present there was a quorum. Members present: Garry Shay; Olivia Lee; Michael Burckhard; Maria Harris; Steven Alari; Members Jose Alcala and Jimmie Woods-Gray joined late

II. Legislation Committee Referral re Jurisdiction Over ACAs and SCAs

The Legislation Committee is seeking clarity on whether the previously referred ACA/AJR positions should be referred to Resolutions or handled by LegCom. Further LegCom seeks guidance on whether future legislative resolutions (such as H Res) and also ACA/AJR-style items that ultimately become ballot initiatives should be handled by Resolutions or Legislation. Ideally only one committee would handle these items from start to finish.

After discussion it was M/S/P to process these matters through the Resolutions Committee moving forward.

PROPOSED BYLAWS AMENDMENTS

PROPOSED FERNANDEZ AMENDMENT

Article III, Section 4 (d)

Unnecessary, it doesn't belong in the organizational bylaws.

Strike the words "upon their request" from the proposed changes to article III, Section 4 (d)

Further, regional directors **MUST** work with these entities on things like the pre-endorsement process. Should regional directors **NOT** reach out to these entities if they haven't requested it (or didn't know to request it)?

PROPOSED CHESSIN AMENDMENT

Add Article VI Section 1(i) [and reletter subsequent subsections accordingly]:

(i) The election shall be conducted with two ballots, one to elect 7 self-identified females (SIFs) using proportional ranked choice voting, and one to elect 7 other than self-identified females (OSIFs) using proportional ranked choice voting. If fewer than 7 of one gender file for election, then the number to be elected of the other gender will be increased accordingly, so that the total number of elected ADDs is 14, but there shall still be two ballots so that the Executive Board representative can be chosen in accordance with this Article. If fewer than 14 candidates total file for election, they shall all be declared elected but there shall still be two ballots so that the Executive Board representative can be chosen in accordance with this Article.

In Article VI Section 1(j)(1) [before relettering; 1(k)(1) after relettering], change this:

"An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized, the highest vote-getting candidate from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, "E-Board Candidates") shall be provided the opportunity to serve as Executive Board Representative if that person so chooses. If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order of votes received. Any ties shall be resolved by methods provided in the ADEM Procedures. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee resident in the Assembly District (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board."

to this:

"An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized and the order of election as defined in 1(k)(2) determined, the candidate elected earliest from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, "E-Board Candidates") shall be provided the opportunity to serve as Executive Board Representative if that person so chooses. If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order in which they were elected. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee resident in the Assembly District (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board."

Add [after relettering] 1(k)(2) [and renumber subsequent subsections accordingly]:

1(k)(2) In establishing the order of election, candidates declared elected in earlier rounds of tabulation shall be considered elected earlier than candidates declared elected in later rounds of tabulation. For candidates elected in the same round, a candidate with a higher vote total in that round (before the transfer of surplus that takes place at the beginning of the next round) shall be considered elected earlier than a candidate with a lower vote total in that round. If two or more candidates declared elected in the same round have identical vote totals in that round, the tie shall be resolved by methods provided in the ADEM Procedures. There shall be one order of election established for each Assembly District Election Meeting, interleaving results from the SIF and OSIF tabulations as appropriate and in accordance with the terms of this subsection.

PROPOSED SCOVILLE AMENDMENT

**ARTICLE VIII: ENDORSEMENT OF CANDIDATES FOR PARTISAN AND NONPARTISAN OFFICE, AND
ENDORSEMENT AND OPPOSITION TO STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, AND
RECALL**

Pre-primary Endorsement of Elected Officials - Restore

This Rules change is will restore the pre-primary endorsement process for elected officials. A crucial role of delegates to the California Democratic Party is to determine which candidates are deserving of the Party's endorsement. That opportunity no longer exists for incumbent candidates.

Every two to four years candidates for office meet with local Party delegates in district caucuses. This provides and opportunity for delegates to meet and assess their choice of candidates. In the past these caucuses have become cheering sessions for incumbent candidates who easily won endorsement. This process was removed a few years ago leaving no opportunity to meet and greet qualifying candidates.

Skipping this process is undemocratic and leaves delegates with little to do but rubber stamp a piece of paper at the Convention. There is no rallying behind your candidate, no opportunity to ask questions of candidates, and no accountability of elected officials to district delegates.

Automatic endorsement of incumbents is an authoritarian manner of candidate selection which is extremely unpopular among delegates. It creates a power grab for electeds in the Party. Elected officials work for the voters, they do not run the Party.

Its time to restore this critical process and restore democracy in the Democratic Party.

Carrie Scoville

AD65

Blue Revolution

Submitted to CADEM Rules Committee November 3, 2023

PROPOSED TUSHNET AMENDMENT

Add to Article V: Standing Committees and Special Committees

Section 7: Procedures for Committee Proceedings

Currently, Committee members hear only from the author of proposals to the committee. As a result, proposals do not receive a complete exposition and committee members do not receive information from both sides about their desirability. The proposed change puts the procedures in line with those being used successfully by the LACDP.

b. Comments or testimony before any Standing Committee, Special Committee or Commission, in addition to the author, shall be open but not limited to three speakers in favor and three opposed..

PROPOSED DUVALLI AMENDMENT



ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES¹ Section

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. Whenever in these bylaws or the operating rules or procedures adopted by Standing Committee, Commission or Special Committee comment or testimony is allowed, the time allotted for each speaker shall be no less than three (3) minutes, unless for good cause shown and by a 2/3 vote or a lesser time period is approved. This provision shall prevail over any provision to the contrary in these bylaws or operating rules or procedural rule adopted by any committee or commission.
- c. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- d. 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; 32

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.

e. 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.

PROPOSED DUVALLI AMENDMENT



ARTICLE V: STANDING COMMITTEES AND SPECIAL COMMITTEES¹ Section

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. The procedures for the functioning of Standing Committees and Commissions shall be published as appendixes of these Bylaws;
- c. Standing Committees, sub-committees thereof, and/or any of its members, may meet in person, by telephone, or by other means of electronic communication.
- d. 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; 32
 - 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.

e. 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.

NEW BUSINESS

**PROPOSED RULES
COMMITTEE CO-
CHAIRS AMENDMENT**

Article IV, Section 6(a)

Section 6. PROXIES

- a. Members of This Committee may be represented at any meeting of This Committee by proxy. A member may give their proxy to a ~~registered member of the California Democratic Party,~~ person of voting registration age and be either (i) a duly registered member of the Democratic Party of California, or (ii) ineligible to register as a Democrat, but has expressed an intent to register as a member of the California Democratic Party upon becoming eligible to do so. The person taking the proxy should be of the same or approximate gender identification whenever possible, who is not already a member of This Committee subject to the following limitations:
 - (1) A member elected by a County Central Committee may only give their proxy to a member, as defined by its by-laws, of the same County Central Committee.
 - (2) A member elected by an Assembly District Election Meeting may only give their proxy to a registered Democrat resident in the same Assembly District.
 - (3) A proxy holder shall only vote in the district in which the person for whom their is a proxy resides.
- b. Proxies shall be signed by the member under penalty of perjury and shall be in the form prescribed by the Secretary of This Committee.
- c. No proxy shall be recognized unless filed with This Committee prior to the close of registration for a meeting of This Committee.
- d. Revocation or change of proxies shall be recognized by the Credentials Committee only upon a signed and dated, written request made by the member which is submitted by the member either in person, by facsimile transmission, or the original is otherwise delivered to that committee.
- e. No person may hold more than one proxy. Voting by proxy shall not be permitted with respect to standing or special committees of This Committee.