

**California Democratic Party Rules Subcommittee on Miscellaneous Items Agenda
Thursday, March 28, 2024 at 6:00pm**

I. Meeting Called to Order

II. Roll Call

III. Adoption of Meeting Agenda

IV. Staff Proposal on Policy regarding In-Person v. Virtual Meetings

a. Proposal by Staff to amend CDP Bylaws Article VII, Section 5 & Article XIV, Section 3

to allow for flexibility to hold Executive Board Meetings virtually in the event that it is necessary

See Exhibit A

V. 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 and to review the Bylaws to amend other relevant provisions

See Exhibit B

VI. Adjournment

EXHIBIT A



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.

ARTIVLE VII: EXECUTIVE BOARD

Section 5. EXECUTIVE BOARD VOTING

- a. Members of the Executive Board may vote in person, ~~or~~ by proxy, or electronically. A person holding the proxy must be a member of This Committee but not a member of the Executive Board; no person may hold more than one proxy. A member of the Executive Board may give their proxy to another member of This Committee who is not already a member of the Executive Board subject to the following limitations:
 - (1) If the member is a representative of a County Central Committee, such member may designate in writing as their proxyholder only a person who is a member or alternate of the same County Committee.
 - (2) If the member is an Assembly District Representative, such member may designate in writing as their proxyholder only a person who is a member of This Committee resident in the same Assembly District.
- b. Proxies shall be filed in writing with the Secretary of This Committee.
- c. Voting by proxy shall not be permitted with respect to any Standing or Special Committee.

ARTICLE XIV: ELECTRONIC NOTICE

Section 3. OTHER THAN IN-PERSON MEETINGS:

- a. It is the express preference of This Committee that meetings should, when possible, be held in person; however, notwithstanding any other provisions of these bylaws, the Chair of This Committee may, in the event of:
 - (1) the existence of official government orders prohibiting or limiting the gathering of persons, or,
 - (2) a finding ~~of similarly extraordinary circumstances~~ by the Chair of This Committee with the concurrence of 2/3rds of the State Officers of This Committee, as defined in Article III, Section 4, a, allow for any meeting of This Committee or its constituent parts to be conducted, by appropriate remote communications technologies provided that the Chair of This Committee shall assure full and fair access to the meeting by the members of This Committee and all members of the Democratic Party consistent with the provisions of Article XIII of these bylaws and the Policy Statement By the Rules Committee of the California Democratic Party on the Open Meeting Rule. Any such determination shall be final.

- b. Nothing herein shall preclude the individual chairing/presiding at the meeting from using technology restricting the opportunity to speak to those recognized to speak.
- c. This Section is in addition to other sections of these bylaws allowing for Other Than In-Person Meetings

EXHIBIT B

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.