

**CDP SPECIAL RULES
PACKET
April 11, 2024**

California Democratic Party Special Rules Committee
Thursday, April 11, 2024, 6:00PM

Agenda

- I. Call to Order
- II. Roll Call
- III. Adoption of Meeting Agenda
- IV. Subcommittee Reports
 - A. ADEMs Subcommittee
 1. Report from Subcommittee on ADEMs
Chair: King, Members: Fernandez, Bowler, Jaycox, Souza, Torello and Woods
 2. Consideration of Recommended Bylaws Amendments
 - B. Miscellaneous Items Subcommittee
 1. Report from Subcommittee on Misc. Items
Chair: Hernandez, Members: Jaycox, Phillips, Zakson, M. Garcia, Schultz, Harris, Torres, Fernandez and Shay
 2. Consideration of Recommended Bylaws Amendments
- VI. New business
- VII. Adjournment

SUBCOMMITTEE REPORTS

TO: Rules Committee, California Democratic Party
FR: CDP Rules Committee Subcommittee on Assembly District Election Meetings
CC: Ben Seinfeld, Emma Harper, Unique Wilson, CDP Staff
RE: Report of the Sub-Committee on ADEMs / Recommendations for 2025 ADEMs
DA: March 18, 2024

The Subcommittee on Assembly District Election Meetings (ADEMs) met on Monday, March 18, 2024 and discussed proposed changes to the ADEMs process.

The following report discusses the changes recommended by the Subcommittee for a hybrid system that includes both in-person locations and an online voting system. The report also contains actions taken by the Subcommittee at that meeting:

CDP Staff Presentation / Preliminary review of 2025 ADEMs Procedures

The 2025 ADEM Procedures are drafts to be reviewed. The procedures will be finalized during the Rules Committee at the May Executive Board Meeting in San Diego.

Recommended changes are as follows:

Updated Dates

Old Rule: ADEM election dates are the weekend prior to and following the Martin Luther King Jr. holiday, so the results could be finalized prior to the February 7th DSCC deadline.

New Rule: ADEM elections will be held on one weekend in February to create more time between the conclusion of the election cycle, the post-election Executive Board meeting, and the ADEMs.

Keep Noon deadline: allows staff the rest of the work day to address issues

Change from Vote-by-Mail to Online Voting

Vote-by-mail increased the cost of ADEM elections to \$500,000 in 2021 (in part as a result of its late creation due to the pandemic). This was reduced to \$180,000 in 2023 due to use of common ballots.

Old Rule: Vote-by-mail option. Pre-registered voters mailed a paper ballot and paper envelope. Physical ballot must be mailed back to be counted.

New Rule: Voters who pre-register will be mailed to their official registration mailing address online voting credentials that will allow the voter to vote online via Election Buddy. Voting credentials will be mailed to voter three (3) weeks prior to the in-person voting.

In-Person Voting Location

Addressing challenges with finding locations and volunteers.

Old Rule: ADEM elections held with a location in each Assembly District but ballots can be turned in and accepted at any location in the state.

New Rule: ADEM elections held on a single weekend with two voting locations in each Region, one on each day of the weekend. Geographically large Regions may have more locations. Ballots can be turned in and accepted at any location in the state.

Regional Director responsibilities:

- Primarily in charge of ADEM elections
- May host more than one location on any given day.
- Must serve as convener for locations within their Region unless two or more locations are in their Region and meeting on the same day. In such cases, Regional Directors can assign a convener to manage additional location(s).

Security Measures

Proposed changes, in light of continued issues of voter being registered without their knowledge and/or consent.

Old Rule: In 2021 and 2023, multiple people could be registered for a vote-by-mail ballot with a single email address.

New Rule: An email address can only be used for Electronic Voting Registration once.

The electronic voting registration form and the candidate registration form will allow an IP Address to be used up to five (5) times

Executive Board representative

Streamlining process when no person who indicated an interest in serving were among the 14 winners.

Old Rule: Executive Board position offered to the highest vote-getting Delegate elected in that contest. If that elected Delegate declines, the next highest Delegate will be offered the position. This will continue until a Delegate accepts the position or all Delegates have been asked. If no one among the 14 accepts, a caucus is held among DSCC residents in the district to determine the Executive Board representative.

New Rule: If none of the 14 Delegates elected accept the Executive Board position, then the Statewide Officers of this Committee and the appropriate Regional Director will select an Executive Board Representative amongst the current DSCC members resident in the district (excluding member appointed by County Central Committees) prior to the next Executive Board Meeting. This change will expedite the filling of the Executive Board seat when those eligible decline.

Proposed amendments to CDP Bylaws, Article VI (Assembly Districts and Assembly District Election Meetings):

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:
- (1) ~~The Election Meetings shall be held on the Saturday or Sunday of the weekends immediately prior to and following the weekend when the Martin Luther King, Jr. holiday is celebrated in odd-numbered years, with such meeting beginning no earlier than 10 am nor begin later than 2 pm, with the time for registration to be open for a four-hour period.~~ a pair of weekend dates (a Saturday and a Sunday of the same weekend) selected by the Chair of This Committee which are (a) no later than twenty-one (21) calendar days prior to the deadline for qualification for the immediately following Organizing Convention (which date is set by the Chair of This Committee pursuant to Article IV, section 1(a)(2)), and (b) shall be posted to the CADEM website and otherwise publicized no later than November 15 of the previous calendar year.
 - (2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District, who have agreed in writing to abide by the Code of Conduct.
 - (3)
 - (a) ~~Persons eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board shall include all registered Democrats who have agreed in writing to abide by the Code of Conduct and (1) were eligible to participate as such vote in the preceding General Election or (2); provided however, that if a person turned 18, or became a United States citizen by virtue of naturalization, after the last day for registration for said election, and can provide proof of execution on or before the end of the filing period referred to in Section 1(i) of the this Article of a legally valid voter registration form showing a residence within the Assembly District, which shall constitute prima facie evidence of eligibility to participate,; and has agreed in writing to abide by the Code of Conduct.~~
 - (b) In addition to the persons described in subsection (a) above, all

persons who are unable to register to vote by reason of citizenship status are eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board if they meet the following criteria: (1) on a form provided by the Chair of This Committee and posted to the Party website for download, the person fills out the form completely and attests that if eligible to register to vote they would do so and do so as Party Preference Democratic; (2) attests on that form that they reside at an address within the Assembly District of their candidacy and provide that address; (3) on that same form have obtained the name, voter registration address, and signature of a registered Democrat in the state of California, which person will be serving as a reference for the person submitting the form; (4) shall file the completed form on or before the end of the filing period referred to in Section 1(i) of this Article, and (5) agreed in writing to abide by the Code of Conduct.

- (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 neither a DSCC seat on This Committee nor an Executive Board position from through that ADEM.

b. Locations

- (1) There shall be a sufficient number of ADEM locations throughout the state to accommodate all potential participants, giving due consideration to travel in urban, rural and mountainous areas. ~~at least one ADEM location in each Assembly District.~~ There shall be no less than two ADEM locations in each Region.
- (2) 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 each Region the Assembly District~~ and with other local interested persons appointed by

the Chair, and consistent with paragraph (2) above, the Chair shall identify ~~one~~ two or more appropriate locations in each Region 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) Any ADEM participant may cast a ballot or drop off a completed ballot at any location in the state on either day. ~~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.~~

(5) Challenges on location decisions:

(a) Any member of This Committee may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22 of the year preceding the scheduled ADEMs. Such filings may challenge decisions as to specific locations or as to the number of locations for a particular Assembly District.

(b) As to challenges concerning specific locations, such an appeal must contain an immediately available alternative to the selected location that also meets the location criteria in the ADEM Procedures at a similar cost. The Compliance Review Commission may, in its sole discretion, dismiss such a challenge if it does not contain the required information on an alternative location as to its availability and suitability.

(c) Notwithstanding any other language in these Bylaws, the Compliance Review Commission may follow an expedited schedule to make a decision by December 15, and the decision of the Compliance Review Commission on matters in this subsection shall be final.

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 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).
- e. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.
- f. The Convener or the Convener's designee shall preside at the Election Meeting as chair, and shall be responsible for conducting the Election Meeting in conformance with the ADEM Procedures in effect at that time.
- g. In order to ~~receive~~ vote a ballot, each Election Meeting participant shall agree, via a form provided by the Secretary of This Committee, to allow the Party to use the contact information they submit as part of the registration process for outreach purposes.
- h. The Rules Committee of This Committee shall promulgate ADEM Procedures governing the organization and conduct of the Election Meetings, which shall include a process for in-person voting or, online voting for verified eligible participants, ~~and vote by mail,~~ a process for applying as a candidate for delegate, including an opportunity to indicate a willingness to serve as Representative to the Executive Board if elected as provided in Section 1(j)(1) below, require a filing fee of \$40 (which will be waived for those who may not pay the fee by law and which may be waived due to hardship with such waiver being available as an option online and on all written forms), a filing period of at least 30 days which shall start at least ~~60~~ 75 days prior to the date of the first biennial Assembly District Election Meetings and end at least 30 days after the start of the filing period, and provide for the posting of eligible candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements be no longer 2400 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made once submitted.

i. Post-ADEM Procedures:

- (1) At each ADEM location, when ~~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 (including those voted online) to be counted (by an independent third party, at The Chair's discretion) 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

j. Assembly District Representatives to the State Executive Board:

- (1) 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 the statewide officers plus the appropriate Regional Director shall appoint a representative from among 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.~~

- (2) In the event that an Assembly District has not been represented at two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.
- (3) In the event of a subsequent vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection j(2) or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection j. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

Steve Chessin Proposal to amend Article VI, Section 1(i) regarding ranked choice voting at ADEMs

Proportional ranked choice voting (PRCV), also known as the single transferable vote, instead of the current plurality system, to elect the Assembly District Delegates (ADDs), so that the results accurately reflect the make-up of the electorate, in direct proportion to how they vote.

After extensive discussion there was no motion to consider any action on this item. The Subcommittee is interested in exploring this option for the 2027 ADEMs.

MEMORANDUM

To: CDP Rules Committee

From: Valeria Hernandez, Chair, CDP Rules Committee Subcommittee on Miscellaneous Issues

Date: March, 28 2024

Re: Report of the CDP Rules Committee on Miscellaneous Issues

On March 28, 2024 the CDP Rules Committee on Miscellaneous Issues held a meeting to hear proposed bylaws amendments relating to proxies and the flexibility to allow for virtual executive board meetings.

After establishing a quorum and approving the agenda, the Subcommittee heard three proposals a voted to refer them to the Rules Committee as follows:

1. Proposal by Staff to allow for flexibility to hold Executive Board Meetings virtually in the event that it is necessary.

ARTICLE VII: EXECUTIVE BOARD

Section 5. EXECUTIVE BOARD VOTING

- a. Members of the Executive Board may vote ~~in person individually 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.

d. For meetings that are conducted virtually pursuant to Article IV, section 3, voting shall be conducted by technological means.

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 sufficient cause for doing so, despite the above stated preference, 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

2. 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

ARTICLE IV: MEETINGS

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 California 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 ~~identity 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 ~~person 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, electronically, 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.