To: CDP Executive Board
From: CDP Rules Committee
Date: August 15, 2015
Re: Rules Committee Report for August 15, 2015

I. ROLL CALL - with 18 members, a quorum was present

II. AGENDA
M/S/P to approve the agenda as presented

III. COMMITTEE DESCRIPTION
Lead Chair Shay reviewed the Committee Description

IV. REVIEW OF PENDING BYLAWS
M/S/P Rules Committee recommends the Executive Board to amend a typo in #7 below.

7) CONFORM TO NEW BY-LAWS
“In Art. VI, §1k, change “12 delegates” to “14 delegates” to conform to recently passed changes in By-laws. See Art. II, §2(5)(a).”

A number of Bylaw amendments were passed by the Rules Committee at the State Convention in May and recommended for adoption at the Summer/Fall Eboard.

They fall into the following categories:

A proposal by Chairs Shay and King, among others to make 19 technical changes including formatting issues, clean-up language, eliminating unnecessary language, and conforming to Prop 14. A more substantive amendment is relating to the eliminating the 6-month waiting rule required for County Committee endorsements to become the endorsements of This Committee. (Items 1-19)

A proposal by Brian Leubitz on the timing of proposition or initiative endorsement in light of changes to when those occur in an election cycle. (Item 20)

A proposal by Chairs Shay and King to create Endorsement Sub-Section Headers to promote clarity and ease of use. (Item 21)

1) LEADERSHIP APPOINTMENTS:
Change Art. II, §3c to read as follows:

“The following officials shall each be entitled to appoint an additional thirty (30) members, at least fifteen (15) whom shall be the opposite sex:

This clarifies intent.

2) PROXIES:
In Art. II, §7a(4), change:

“That every proxy shall be filed in the office of the State Chair no later than 5 p.m. of the day preceding the meeting of This Committee”
to:
“That every proxy shall be filed in the office of the State Chair no later than 5 p.m. of the day preceding the meeting of This Committee or shall be presented to the appropriate designee of the State Chair at the meeting of This Committee during the hours set by the Meeting rules to do so.”

This conforms to current practice.

3) **VACANCIES, CONFORMING LANGUAGE TO CURRENT LAW:**
   At the end of the first sentence of Art. II, §10a, change:
   
   “ceases to be a member of the Party”
   
   to:
   
   “ceases to be registered as Party Preference: Democratic.”

   This is consistent with current law.

4) **ROLL CALL:**
   In Art. IV, §1b, change the first sentence from:
   
   “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 cause the roll to be called from the list of certified members and proxies.”
   
   to:
   
   “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.”

   This conforms to current practice.

5) **ELIMINATION OF CONFLICTING LANGUAGE:**
   In Art. IV, §4b, delete the phrase:
   
   “election of National Committee Members,”.

   Article IX sets forth the process for election of National Committee Members. This change conforms to current practice.

6) **TIMING OF POSTING OF ACTION PLANS:**
   In Art. V, §6d delete:
   
   “...14 days before the convention ...

   The timing does not work the way it is written. Committee chairs are appointed after the convention, and additionally, the chairs are given three months to do this task.

7) **CONFORM TO NEW BY-LAWS**
   In Art. VI, §1k, change “12 delegates” to “14 delegates” to conform to recently passed changes in By-laws. See Art. II, §2(5)(a).

8) **FORMATTING ISSUE:**
In Article VI, §1k, make the current §1k(1) simply §1k and renumber accordingly. It is a title of the subsection. Otherwise, the reference in (4) is incorrect.

9) **FORMATTING ISSUE:**

In Art. VIII, §3d(3), label the first two paragraphs (those starting with: “If the endorsed candidate . . . .”) as (a) and (b), respectively, and change (a) and (b) in what will become Art. VIII, §3d(3)(b) to (i) and (ii).

Clarifies existing language and draws attention to the two scenarios.

10) **FORMATTING ISSUE:**

In Art. VIII, §3d(3)(b), make the second sentence a whole new unnumbered paragraph indented to the same degree as Art. VIII, §3d(3)(b).

This change separates out for clarity the composition and procedures of the Pre-Primary Endorsement Review Committee

11) **TIMING OF SUBMISSION OF CLUB ROSTERS:**

In Art. VIII, §3g(5)(c)(1)(a), change:

“July 1” to “July 15”

In order to provide a two week period between the deadlines by which members of a club have to be in good standing and the provision of the list of those members to the appropriate persons. Otherwise, this list is due on the same day that members are to be counted.

12) **ELIMINATION OF UNNECESSARY LANGUAGE REGARDING ROSTERS:**

To eliminate unnecessary language and promote clarity, change Art. VIII, §3, g, (6) as follows:

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 his/her 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 his/her name must appear, or have had the right to appear, on the certified roster submitted 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 as described above. Nothing in this section relieves a Democratic Club of its obligation to submit its roster to the Regional Director by July 1 of the year preceding the pre-endorsing conference, as provided hereinabove.
13) **FORMATTING ISSUE:**
To promote readability and clarity, make the following formatting change in Art. VIII, §3g(12)(b):

By a date that is between:

i. the date that the pre-endorsing conference roster of eligible participants has been determined by the Chair of This Committee, and

ii. ten (10) days prior to the pre-endorsing conference,

twenty percent (20%) of the eligible participant file a petition to include the incumbent in the endorsement process otherwise indicated in this Section.

14) **CONSISTENCY OF TIMING REGARDING OBJECTION:**
In the second to last sentence of Art. VIII, §4b, change:

“five (5) days” to “seven (7) days”

to promote consistency in the By-laws.

15) **ELIMINATION OF SIX (6) MONTHS RULE:**
In order to promote consistency and enforceability, change Art. VIII, §4c(3) to read as follows:

All endorsements shall be made in accordance with the County Committee’s duly adopted By-Laws provisions. duly adopted at least six months prior to making such an endorsement.

16) **DNC ELECTION, CONFORMING LANGUAGE TO CURRENT LAW:**

In Art. IX, §4, change:

“registered to vote as a Democrat”
to:

“registered to vote as Party Preference: Democratic.”

This is consistent with current law.

17) **DNC ELECTION, CLARIFYING LANGUAGE:**

For clarity, change the first sentence of Art. IX, §6 to read as follows:

“Vacancies in the delegation shall be filled by election in the same manner as specified herein above.”

18) **REGIONAL DIRECTOR, GRAMMATICAL ERROR:**

For proper grammatical usage, change Art. III, §4(b) to read as follows:
“Regional Directors shall be elected for two year terms on Saturday of the first Convention of This Committee held in odd numbered years. Regional Directors shall be elected at Regional Caucuses, each comprised of all members of This Committee resident in the respective regions.”

19) REMOVAL FROM MEMBERSHIP, CONFORM TO PROP 14:

To conform to Prop 14, change Art. II, §9(b) to read as follows:

“This Committee may remove any member if, during his/her term of membership, such member affiliates with or registers as other than Party Preference Democratic; a member of another party; publicly avows preference for another party; publicly advocates that the voters should not vote for the endorsed candidate of This Committee Party for any office; or who publicly gives support to or avows a preference for a candidate registered as other than Party Preference Democratic nominated by another party in the voter-nominated top two open primary.”

20) STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, OR RECALL:

For flexibility, change Art. VIII, §5b to read as follows:

“The vote on such resolutions concerning state ballot propositions, initiative, or referendum and resolutions to support or remain neutral in a recall election shall may be taken up at the a regularly scheduled meeting of This Committee or its Executive Board immediately upon qualification in the same year of immediately preceding the recall or statewide election involved.

21) ENDORSEMENT SUBSECTION HEADERS:

For ease of use, create subsection headers in Art. VIII as follows:

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

Section 1. GENERAL PROCEDURES

a. Only One Form of Endorsement:
b. Designation of Official Candidates:
c. Expectations and Intent:
d. One Voice:
e. Penalty for Independent, Unauthorized Endorsement:
f. Caucuses Not Independent:

1 Amendments adopted at the November 16, 2014 Executive Board regarding endorsements and appointments shall be effective for the appointments and elections to the 2015-2017 California State Central Committee and beyond. The language inserted in this footnote shall be deleted automatically as of July 1, 2015.
Section 2. PRESIDENT OF THE UNITED STATES

a. Prohibition on Endorsing for President of the United States:
b. Individual Endorsements of Candidates for National Convention Delegate:
c. Neutral Provision of Benefits to Presidential Candidates:

Section 3. PARTISAN PUBLIC OFFICES OTHER THAN PRESIDENT

a. Time and Place for Endorsement:
b. Reasonable Effort to assure a Candidate Files:
c. Composition of Endorsing Caucuses, Timing, Qualifications for Candidate Consideration, Provision of Platform Link, Quorum, Written Ballot, No Endorsement Option, Vote Required:
d. Consent Calendar, Ratification, Objection to Ratification, Process for Consideration of Objection:
e. Special Elections Process and Appeals Committee:
f. Failure to File as “Party Preference: Democratic”:
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:
h. Objections to Endorsements, Process for Review by the Election Appeals Committee:
i. Process When No Convention Scheduled at Least Forty-Nine (49) Days Prior to the Partisan Primary:

Section 4. NONPARTISAN OFFICES

a. County Party Exclusively Responsible:
b. Process for California Democratic Party Endorsement, Objection Process:
c. Requirements of County Bylaws for Approval of Endorsement Process:
d. Prohibition on Endorsement Permissible

e. Voting Rights:
f. California Democratic Party Non-Partisan Endorsement Responsibility and Process:
g. Communication of Positions on Local Propositions:
h. Objection Process:
i. Expectations and Intentions:

Section 5. STATE BALLOT PROPOSITIONS, INITIATIVES, REFERENDUM, OR
RECALL

a. **Endorsement Vote Threshold:**
b. **Timing of Endorsement Consideration:**
c. **Automatic Opposition to Recall, Process to Support or Remain Neutral:**
d. **Process if No Timely Meeting Scheduled:**

V. **CAUCUS GUIDELINES**
Introduction of Proposed Amendment to Caucus Guidelines dealing with membership. The proposal as been posted on the Rules Committee page of the California Democratic Party’s website.

VI. **CONVENTION RULES AND AGENDA**
M/S/P Adoption of 2016 Convention Rules and Agenda

2016 CDP State Convention in San Jose
Tentative Agenda
February 26-28, 2016

NOTE – the Caucuses will be scheduled soon, after consultation with the Caucus Chairs. Additionally workshops and other activities will be added to this agenda as presenters and speakers are developed and confirmed.

**Friday, February 26, 2016**

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<thead>
<tr>
<th>Time</th>
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<tbody>
<tr>
<td>10 AM</td>
<td>Platform Committee</td>
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<tr>
<td>1 PM</td>
<td>Credentials Committee</td>
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<tr>
<td>2 PM</td>
<td>Rules Committee</td>
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<tr>
<td>3 PM – 9 PM</td>
<td>Credentialing*</td>
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<tr>
<td>5:30 PM</td>
<td>Resolutions Committee (Ballot measures only, if needed)</td>
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**Saturday, February 27, 2016**

<table>
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<tr>
<td>9 AM – 11:30 AM</td>
<td>General Session</td>
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<tr>
<td>Noon – 1:30 PM</td>
<td>Luncheon</td>
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<tr>
<td>1:30 PM – 4 PM</td>
<td>General Session</td>
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<tr>
<td>4:30 PM – 6:30 PM</td>
<td>Legislative Balloting</td>
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<tr>
<td>5 PM – 8 PM</td>
<td>US Senate Candidate Balloting</td>
</tr>
<tr>
<td>5 PM</td>
<td>Platform Committee (if necessary)</td>
</tr>
<tr>
<td>6 PM</td>
<td>CDP Dinner</td>
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<tr>
<td>10 PM</td>
<td>Hospitality Suites</td>
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**Sunday, February 28, 2016**

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<th>Time – 10 AM</th>
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<tbody>
<tr>
<td>9 AM – 10 AM</td>
<td>Credentialing/Registration</td>
</tr>
<tr>
<td>10 AM</td>
<td>General Session</td>
</tr>
</tbody>
</table>

* In order to vote and have one’s vote counted, a member must have received their credential prior to the closing of Credentialing (formerly known as “Registration”) as well as completed and returned to the proper authority any ballot that may be issued.
RULES FOR THE CALIFORNIA DEMOCRATIC PARTY 2016 CONVENTION

1. The Officers of the Convention shall be the Officers of the State Central Committee.

2. Delegates to the Convention shall be those delegates who were duly credentialed to the 2015 Democratic State Central Committee Convention subject to the provisions for replacement and filling of vacancies set forth in the By-Laws, and received by the State Party Sacramento office by 5:00 PM, December 3, 2015. Chartered Clubs/Organizations, must submit all their items to the Regional Director(s) and Chartering Authority by November 20, 2015 at 5pm in order to have representation at the pre-endorsement conferences.

3. Seating of the delegates shall be by Assembly District.

4. No one will be admitted to the convention floor who is not a delegate, or proxyholder, except by special authorization of the State Chair.

5. Credentialing will close at posted times, unless special circumstances exist. At that time, consideration will be given by the Credentials Committee.

6. Proxies will be subject to the provision set forth in the By-Laws.

7. In order to vote, and have one’s vote counted at this Convention, a member must have timely paid their dues to This Committee (or had them waived), registered for the meeting, obtained their credential prior to the close of credentialing, and completed and returned to the proper authority any ballot that may be issued.

8. The Credentials Committee shall issue its final report and place the official voting list of delegates in the hands of the Convention Secretary subsequent to the close of credentialing.

9. Requests to hang signs, banners and placards must be submitted before the Convention to the Convention Coordinator. A fee may be charged per sign at the determination of the Chair of This Committee.

10. The purpose of this Convention is primarily the adoption of a Party Platform, endorsement of U.S. Senate seat and district-level partisan offices. Candidates seeking statewide endorsement must submit a 250-word statement on why they should be the eligible to be endorsed. The Chair in consultation with the Statewide Officers of This Committee will determine which Democratic candidates for Statewide Office are viable and eligible to seek our endorsement. All other Party or State matters, reports, etc. will or will not be considered at Convention as determined by the State Chair. Matters not heard at the Convention will be received by the Secretary and held over to the next meeting of the Executive Board. All resolutions submitted will be held over to the next Executive Board meeting.

11. In all cases at this Convention, proxies shall vote in districts where the appointing member resides.

12. The Bylaws and Rules of the California Democratic Party shall govern over these Rules for the California Democratic Party 2016 Convention in the event of a conflict.
13. Any matter not provided for in these rules or the California Democratic Party Bylaws and Rules shall be governed by Robert’s Rules of Order.

PROCEDURES FOR THE AMENDMENT AND ADOPTION OF THE CALIFORNIA DEMOCRATIC PARTY 2016 PLATFORM

RULE #14
The Platform Committee’s Draft Report shall be sent to all Convention delegates no later than January 6, 2016.

A. AMENDMENT PROCESSES:

The Platform is a statement of principles and any amendments must be germane to the Platform. If any delegate wishes to amend the Draft Platform, then the delegate shall follow the process outlined below:

1. Each delegate must submit, in writing, to be received by the CDP Sacramento Office no later than January 27, 2016, his/her written amendments to the Platform Committee’s Draft Report. Said written amendments must be signed by five (5) different members of the Democratic State Central Committee or five (5) registered Democrats from five (5) different Assembly Districts and must include their addresses, phone numbers, and the Assembly District in which they reside, one, and only one, of which shall be identified as the sponsor of the amendment.

(a) The Platform Committee shall meet or conference call by February 26, 2016 to consider all written amendments submitted with the five (5) valid signatures. The Platform Committee, at its pleasure, may take any additional testimony it desires and may, by majority vote, adopt an amendment, or any part thereof. Should any amendment or any part thereof be adopted, then said amendment shall become part of the Platform Committee’s Draft Report.

(b) If said amendment, or part thereof, is not adopted, then said amendment may be brought to the floor of the Convention only if all the submission and certification provisions of Rule 14, Section A,2 of these Rules are met.

(c) All amendments, or any parts thereof, which are adopted by the Platform Committee shall be made available to all delegates at the Convention, promptly after the Friday Platform meeting.

2. An amendment which had been timely submitted by January 27, 2016, but failing to be adopted in its original form, may be submitted by its sponsor in writing, in whole or part thereof, to the Secretary of the Convention no later than Saturday, February 27, 2016, at 5:00 p.m on a form provided by CDP Platform staff. Said amendment must be signed by no fewer than three hundred (300) credentialed delegates to the Convention (or their qualified credentialed proxies), and must contain the name, phone numbers, Assembly District and signature of the original sponsor of the amendment.

(a) The Secretary of the Convention shall certify each amendment by determining there are no fewer than three hundred (300) delegate signatures are valid.

(b) No later than 6:30 p.m., on Saturday, February 27, 2016, the Platform Committee shall
meet to review each amendment certified by the Secretary of the Convention. All sponsors of each amendment must attend this meeting; failure to do so shall void the submission of the amendment, unless excused by majority vote of the Platform Committee. The Platform Committee may, at its pleasure, take any additional testimony it desires and may, by majority vote, adopt said amendment, or any part thereof. Should any amendment, or any part thereof, be adopted, then said amendment shall become part of the Platform Committee’s Draft Report.

(c) If said amendment is not adopted in its entirety, then the amendment or any part not adopted, shall be introduced to the full Convention for debate and vote.

(d) All amendments, or any part thereof, which are adopted by the Platform Committee shall be made available to each delegate at the time that they enter the Convention Hall for Sunday morning session.

(e) The sponsor of the amendment may, at any time, withdraw the amendment from consideration by the Platform Committee or the Convention delegates.

B. ADOPTION PROCESS

1. On Sunday, February 28, 2016 the Platform Committee shall present its Draft Report to the Convention for its approval. The Convention shall follow the below-listed procedures when considering the Draft Report and amendments thereto:

(a) The Draft Platform Report shall be presented by persons chosen by the co-chairs of the Platform Committee.

(b) As each report is completed, the co-chairs of the Platform Committee shall call on each sponsor of an amendment to present their amendment and said presentation shall be no longer than four (4) minutes.

(c) After each amendment has been presented by its sponsor, then the opponents of the amendments shall have four (4) minutes to present their position. Debate will be automatically closed unless a motion is made to extend debate and adopted by a majority vote. Said extension shall not exceed four (4) minutes equally divided between opponents and proponents to the amendments.

(d) Following the debate on the amendment, delegates shall vote on the amendment.

2. Following the presentation of each report and after the amendments have been voted on, then the delegates shall, by majority vote, adopt or reject each report. The final report of the Convention shall be known as the California Democratic Party Platform.

3. The co-chairs of the Platform Committee are authorized to make any punctuation, grammatical, or spelling changes as needed in the Final Report.

VII. ADEMS PROPOSAL

M/S/P instructs the subcommittee on ADEMs to convert ADEMs proposal into Bylaws language and amendments to the Procedures, to be posted to the web. The Rules Committee will solicit testimony and possibly adopt at the 2016 State Convention. The ADEM proposal can be found on the Rules Committee page of the California Democratic Party’s website.
VIII. COMPLIANCE REVIEW COMMISSION
A) Disabilities: M/S/P The Rules Committee affirms the CRC order based on the testimony given. An amendment was approved to add Chris Myers or his designee to paragraphs 1, 4 and 5 of the CRC order.

B) Business and Professional: M/S/P (9-8 vote) The Rules Committee orders the Business and Professional Caucus to rehold their officer elections at the 2016 State Convention except for the offices of Treasurer and Secretary. The previous holders for all contested officers positions were reinstated. Member Coby King shall assist the Treasurer and Secretary in the conducting of said election. The Rules Committee did not overturn, nor address the decision of the caucus that Melissa Fox was a member in 2014, accordingly, it stands.

C) California Democratic Council: M/S/P The Rules Committee upholds the decision of the CRC.

IX. CAUCUS GUIDELINES
M/S/P Form a subcommittee on Caucus Certification Guidelines Chaired by Member Zakson, and members Khopkar and Bowler.

X. REGULAR MEETINGS
M/S/P to form a subcommittee on regular meetings Chaired by Member Khopkar, and members Bowler and Raj.

XI. M/S/P ADJOURN MEETING