

To: CDP Executive Board
From: CDP Rules Committee
Re: Rules Committee Report for Meeting on November 17, 2018

- I. Roll Call – with 14 members in attendance, a quorum was present. 2 members joined the meeting in progress.
- II. M/S/P Adoption of Meeting Agenda
- III. Reviewed Bylaw amendments recommended for adoption at 2018 July Executive Board Meeting. Bylaw amendments appear at the end of this report.
M/S/P Requests the Executive Board to make the following modifications to the proposed Amendments to be adopted on Sunday to read as follows:

Amendments

Substituted “these Bylaws” for the enumeration of articles listed.

Proposal on the Jurisdiction of the Compliance Review Commission.

CDP Bylaws, Article XII, Section 2.a.

The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under ~~Article II (Membership); Article III (Officers); Article IV (Meetings); Article VI (Assembly Districts and Assembly District Election Meetings); Article VII (Executive Board); Article VIII (Endorsements, etc.); Article X (Charters); Article XI (Special Group Caucuses) and Article XIII (General Policies).~~ these Bylaws.

Change “body” to “the following:”

CDP Bylaws, Article VIII, Section 3.d. to add a new paragraph (7),

... filed a petition with the Secretary of This Committee that provides that it is in the best interest of the California Democratic Party that such removal from the consent calendar occur, and that the petition be signed by two-thirds of the following: ~~a body composed of~~ the statewide officers of...

- IV. M/S/P Adoption of Convention Rules and Tentative Agenda for 2019 State Convention

Rules for the 2019 California Democratic Party Convention

1. The primary purpose of this biennial Convention is to organize the newly- constituted Democratic State Central Committee (This Committee) and elect Regional Directors. Matters not heard at the Convention will be received by the Secretary and held over to the next meeting of the Executive Board.
2. The Chair of This Committee shall be the Chair of the Convention and the Secretary of This Committee shall be Secretary of the Convention. In the absence of the Chair of This Committee, the Vice-Chair of This Committee of the self-identified gender other than that of the Chair, shall serve as the Presiding Officer and Chair of the Convention.
3. Delegates to the Convention shall be the members of the Democratic State Central Committee, or their qualified proxies as specified in the Bylaws, whose appointment/election has been transmitted to the State Party no later than February 7, 2019.
4. Seating of the delegates shall be by the Assembly District within Region.
5. No one will be admitted to the Convention floor who is not a delegate, or proxy holder, except by special authorization of the State Chair.

6. Credentialing will close at posted times, unless special circumstances exist. At that time, consideration will be given by the Credentials Committee, which can stay open or reopen credentialing. In order to vote, and have one's vote counted, at this Convention, a member must be qualified to vote for that specific office per This Committee's Bylaws and have timely:
 - a) paid their dues to This Committee, or had them waived,
 - b) registered for the meeting, if registration was required,
 - c) obtained their credential prior to the close of credentialing, and
 - d) completed and returned to the proper authority any ballot that may be issued.
7. 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.
8. Election of Regional Directors.
 - a. 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 composed of all members of This Committee resident in the respective regions. The time for the opening of registration for the Regional Caucus shall be included in the Agenda for the Convention and the Convener must ensure that the Caucus site is available and open by the time called for in the Convention Agenda. To afford all candidates for Regional Director an opportunity to address the Regional Caucus, the Convener shall commence candidate presentations as close to ten minutes after the time for the opening of registration set forth in the Convention Agenda as is practical under the circumstances. Voting will be commenced thirty minutes after the time for opening of credentials called for in the Agenda, and voting will commence without regard to whether any or all candidates have finished their oral presentations. No one will be allowed to vote in the Caucus who has not arrived by thirty minutes after the time called for in the Convention Agenda. Voting members or their proxies standing in line to be registered at the time voting commences are considered to have arrived in time.
 - b. Regional Caucuses, comprised of all members of This Committee resident in the respective regions, shall take place on Saturday, June 1, 2019, for the purpose of electing their respective Regional Directors. The ratification of Regional Directors shall take place on Sunday, June 2, 2019. A candidate for any office shall file a notice of intent-to-run for that office with the Secretary of the Party no later than 5:00 PM, May 15, 2019, being the day, which is sixteen (16) days prior to the commencement of credentialing for the Convention. Should the incumbent officeholder fail to file the notice of intent-to-run by that date, then the filing deadline shall be extended to 5:00 PM, May 22, 2019, being the date which is nine (9) days prior to the opening of credentialing for the office. No withdrawals shall be allowed after that date.
 - b. Following the close of nomination for officers, no additional nominations shall be permitted, except for an office for which no person has been nominated prior to the close of nominations or for which all persons nominated have withdrawn.
 - c. No vote for any person shall be counted unless the person has been duly nominated for, and has accepted that nomination for the office for which such vote is cast.
 - d. In the event only one person is nominated for any office and such person accepts the nomination, the Secretary of the meeting shall be directed to cast a unanimous ballot for such candidate at the time of the election.
 - e. In the event no candidate receives a majority on the first ballot, a run-off election (second ballot) shall be held between the two persons receiving the largest number of votes

actually cast for all candidates who have been duly nominated for and accepted the nomination for the office involved.

- f. Elections of Regional Directors shall be governed by the provisions set forth in Article III, Section 3, subsections c-f of the Bylaws and the deadlines and restrictions on withdrawal shall be as set forth in Article III, Section 3, subsection b of the Bylaws.
 - g. The Chair, in consultation with the Rules Committee Lead Chair, may promulgate administrative procedures relating to voter assistance for Regional Director election balloting as appropriate.
 - h. All voting for officers shall be by DNC mandated open ballot process except when there is only one candidate.
9. The Resolutions adopted by the members of This Committee and the Executive Board of the California Democratic Party are expressions of philosophical beliefs and principles that the Party wishes to declare. Any resolution involving a local issue will be referred to the appropriate local Democratic Party entity.

RESOLUTION PROCEDURES

- a. Form
 - (1) All resolutions must be typed.
 - (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and resolve clauses shall be limited to two (2) or less.
 - (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
 - (4) All resolutions must be adopted by a County Central Committee, or a Chartered Democratic Club, a CDP-chartered statewide chartered organization, or a CDP caucus, or sponsored by twenty-five (25) members of This Committee, or a majority of the members of This Committee who meet at a Regional Meeting as described in Article III, Section 4d of the CDP's Bylaws.
 - (5) Resolutions that call for a change in the CDP bylaws or platform, or state the endorsement or support of a candidate for public office or opposition to a candidate who is a registered Democrat, or mandates or restricts the spending of money by the CDP, or direct an individual DSCC member to act in a manner which forces the member to take a particular action or position except as may be specifically required by CDP Bylaws, shall be ruled out of order and will neither be heard by the Resolutions Committee nor be able to reach the floor by way of Section 9(d) below.
- b. Timely Resolutions
 - (1) Resolutions must be received by the State Chair of the Party in Sacramento, by 5 p.m., thirty (30) calendar days prior to a meeting of This Committee, except as provided in subsection (c) below.
 - (2) Copies of resolutions submitted according to the above procedure shall be mailed by the State Chair of the Party to all members of the Resolutions Committee prior to a meeting of This Committee.
- c. Resolutions Committee will present prioritized resolutions in the committee report to the convention body.
- d. Late/Floor Resolutions
 - (1) Twenty-five (25) copied of each resolution must be provided to the Resolutions Committee by the sponsor(s) of the resolution.
 - (2) All resolutions to be considered at a meeting of This Committee must be presented for consideration at the Resolutions Committee meeting preceding the general

session. In order to be considered at the general session, a late resolution must have the unanimous consent of the Resolutions Committee to be considered and all resolutions must be approved by the Resolutions Committee. Any resolution heard by the Resolutions Committee, failing to obtain approval, may be brought to the floor of a meeting of This Committee with the signatures of three hundred (300) members of This Committee on forms approved by the Resolutions Committee.

- (3) All resolutions to be presented from the floor shall be submitted to the Secretary of the Convention for signature verification by 5:00P.M. on the day before the resolution is presented.
 - (4) The sponsor of a resolution presented from the floor shall be responsible for providing the Secretary of the Convention with sufficient copies of their resolution for each member of This Committee.
- e. Resolutions pending at the close of a Convention of This Committee shall be referred to the Executive Board of This Committee. All such resolutions shall first be presented to the Resolutions Committee for recommendation to the Executive Board. The Resolutions Committee shall recommend: adoption, adoption with amendment, or rejection. Such resolutions shall be presented to the Executive Board for consideration in its original form unless the sponsor agrees to the amendment(s) recommended by the Resolutions Committee.
10. Requests to hang signs, banners and placards must be submitted before the Convention to the Convention Coordinator. A small fee may be charged per sign. No large signs or large quantities of materials will be allowed in the General Session Hall. The only large quantities of materials or large signs allowed in the hall are those that are official CDP materials or have been pre-approved by the CDP and have already been placed in the hall.
11. PROXIES: Proxies will be subject to the provision set forth in the By-Laws. Because in order to vote, and have one's vote counted, at any meeting of This Committee, a member must have timely obtained their credential prior to the closing of credentials, a member may authorize, by signed written authorization, any registered member of This Committee to obtain their credential on their behalf. The provisions of Article IV, Section 6, subsections b-d shall apply to such authorizations. In all cases at This Convention, proxies vote in districts where the appointing member resides as required by This Committee's By-Laws.
12. The By-Laws and Rules of the California Democratic Party shall govern over these Rules for the 2019 California Democratic Party Convention in the event of a conflict.
13. Any matter not provided for in these rules or the California Democratic Party By-Laws and Rules shall be governed by Robert's Rules of Order.

2019 CDP State Convention

Tentative Agenda

May 31 – June 2, 2019

NOTE – Workshops and other activities will be added to this agenda as presenters and speakers are developed and confirmed.

Friday, May 31 2019

1:30PM Credentials Committee
2PM Rules Committee
3PM – 8:30PM Credentialing / Registration *
4:30PM Legislation Committee
 Organizational Development Committee
 Resolutions Committee
6PM Welcome Reception
10PM Hospitality Suites

Saturday, June 1, 2019

9AM – 1PM Credentialing / Registration *
10:00AM – 11:30AM General Session
Noon – 1:30PM Luncheon
1:30 – 4:00PM General Session
5:00 – 7:00PM Regional Director Elections
5:00PM Resolutions Committee (Prioritization)
6:00PM Convention Dinner
10PM Hospitality Suites

Sunday, June 2, 2019

9AM – 10AM Credentialing / Registration *
10AM General Session
 - Ratification of RD Elections
 - Standing Committee reports
 - Adoption of resolutions

** In order to vote, and have one's vote counted, at this meeting, 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.*

***The Chair may change the timing of agenda items to accommodate scheduling as required.*

V. Subcommittee Reports

- A. Endorsement Subcommittee
 1. M/S/P Received an update from the subcommittee meet Friday, November 16 and will meet and produce a report for the Rules Committee at the next State Convention for possible adoption at the Summer Executive Board Meeting.
- B. Caucuses Subcommittee
 1. M/S/P Caucuses Subcommittee recommendation to provisionally certified all Caucuses
- C. Election of Officers Subcommittee

1. M/S/P reconstituted the Election of Officers Subcommittee with Chair: Bowler, Members: Hernandez, Skolnick, Summers, Zakson
 - D. ADEMs Subcommittee
 1. M/S/P Received an update from the ADEMs Subcommittee. A training session on Saturday morning was held with Party Staff and Co-Chair Coby King. The ADEM procedures are online and upon conclusion of the ADEMs in January the subcommittee will solicit testimony to improve the process for the 2021 ADEMs.
 - E. Miscellaneous Issues Subcommittee
 1. M/S/P Received an update from the Miscellaneous Issues Subcommittee, which held a meeting prior to the Rules Committee meeting, solicited testimony on membership removal clause.
- VI. Bylaw Amendments
- A. M/S/P to adopt the proposal by Mr. Skolnick relating to the Legislation Committee. CDP Bylaws Article V, Section 5.g.
Legislation Committee:
It shall be the function of the Legislation Committee to propose legislation when needed, in response to duties and policies of the Party; to maintain a listing of all pending legislation that is of “must and/or major concern to the Party; and to keep a record of the vote by the Democratic Party legislators on such legislative items. The Legislation Committee shall ~~make recommendations and propose actions regarding such legislation,~~ in consultation with the Chair of This Committee, organize and coordinate activities to advance Party positions on legislative priorities, including, but not limited to, lobby days with legislators, grassroots mobilization, delegate outreach, and as needed, shall advise the Chair of This Committee and make recommendations as to how to most effectively utilize Party resources for this purpose, consistent with guidelines adopted by the Rules Committee.
 - B. M/S/P to refer Mr. Skolnick’s proposal including amendments by Co-Chair King on changes to the Legislative Committee guidelines to the Miscellaneous Subcommittee.
 - C. The Rules Committee heard a proposal by Mr. Shergill regarding Appointed Members. There was no motion or second to move the proposal forward.
 - D. M/S/P to refer Mr. Larimore-Hall’s proposal on the Endorsements of Legislative Leadership to the Endorsement Subcommittee.
- VII. Compliance Review Commission (CRC)
- A. M/S/P reject the appeal by Mr. Bezis and sustain the CRC decision in the Contra Costa DCC Bezis/Clark July Challenge.
 - B. M/S/P Received and filed the Chicano Latino Caucus Stampolis Decision.
 - C. M/S/P Received and filed the Kern County Barro Decision.
 - D. M/S/P Received and filed Orange County Abazajian – CRC Decision received and filed.
- VIII. County Bylaws
- A. M/S/P recommendations by the Subcommittee on County Bylaws noting that Del Norte DCC and Santa Barbara DCC need to make further changes to their bylaws in order to be approved. The Bylaws of Imperial DCC and Riverside DCC are no longer provisionally approved and they should modify their Bylaws to meet the CDP Open Meeting Policy and resubmit them to the Rules Committee. Staff is directed to inform all DCC’s mentioned in the County Bylaws Subcommittee report of their status.
- X. M/S/P Adjourn

MEMORANDUM

TO: California Democratic Party (CDP) Executive Board
FROM: CDP Rules Committee
DATE: October 16, 2018 (amended November 17, 2018)
RE: CDP Bylaw Amendments Recommended by CDP Rules Committee to CDP Executive Board for Consideration at the November 2018 Meeting

A number of Bylaw amendments were passed by the Rules Committee at the July 2018 Executive Board Meeting. These Bylaw amendments are recommended for adoption at the November 2018 Executive Board Meeting and are included in this memo for review.

Bylaw Amendments for Consideration:

Proposals on the Election of Officers.

CDP Bylaws Article II, Section 9.a.

Any member who has failed to pay the prescribed dues as provided in section 11 of the Article and any uniformly imposed fee included in the registration materials shall not be credentialed to attend any meeting of This Committee until such time as he or she has satisfied his or her dues and fee obligation by payment or waiver. Authority to hear and decide such issues rests in the Credentials Committee; provided, however, a denial of a dues and/or fee waiver may be appealed to the State Officers of this Committee by the affected member.

CDP Bylaws Article II, Section 11.c.

The failure to pay any uniformly imposed fee included in the registration materials for a meeting of This Committee shall preclude the member from being credentialed, but shall not be grounds for removal from membership.

Reletter former section c accordingly.

CDP Bylaws Article IV, Section 7.b.

In order to vote, and have one's vote counted, at any meeting of This Committee, a member must have timely:

(1) paid their dues and fees to This Committee, or had them waived,

Proposal on Voter Assistance.

CDP Bylaws Article IV, Section 7.c.

In the event a voter needs assistance as part of an accommodation under Article XIII, Section 1, the member, prior to the member casting her/his ballot, may designate on a form prescribed by the Secretary of This Committee, in consultation with the Credentials Committee, any person to provide such assistance. The designation shall be signed by the member or it may be signed on his/her behalf by another, if the direction to sign and signature is witnessed by another member of This Committee. Revocation or change of the person designated to provide assistance shall be recognized by This Committee only upon a signed and dated written request made by the member which is submitted to This Committee prior to the member casting her/his ballot.

Proposal on the Jurisdiction of the Compliance Review Commission.

CDP Bylaws, Article XII, Section 2.a.

The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under Article II (Membership); Article III (Officers); Article IV (Meetings); Article VI (Assembly Districts and Assembly District Election Meetings); Article VII (Executive Board), Article

VIII (Endorsements, etc.), Article X (Charters); Article XI (Special Group Caucuses) and Article XIII (General Policies).

**Rules Committee requested modification for the above Amendment
Substituted “these Bylaws” for the enumeration of articles listed.**

Proposal on the Jurisdiction of the Compliance Review Commission.

CDP Bylaws, Article XII, Section 2.a.

The Compliance Review Commission shall have initial jurisdiction over all challenges and/or appeals arising under ~~Article II (Membership); Article III (Officers); Article IV (Meetings); Article VI (Assembly Districts and Assembly District Election Meetings); Article VII (Executive Board); Article VIII (Endorsements, etc.); Article X (Charters); Article XI (Special Group Caucuses) and Article XIII (General Policies).~~ these Bylaws.

Proposals relating to the 2020 Presidential and Statewide Direct Elections and the 2019-2020 Convention Timeline.

CDP Bylaws, Article IV, Section 1(a)

(1) The Democratic State Central Committee shall convene a regular meeting each year. The State Chair shall determine the precise dates.

(2) For the first regular meeting of an odd-numbered year (the “organizing convention”), ~~t~~The roll of eligible voters at this meeting of This Committee shall consist of those members who have qualified as of February 7, or next business day if date falls on state holiday or weekend, of the year of that meeting. Once qualified as of February 7, or next business day if date falls on a state holiday or weekend, one who remains otherwise qualified to maintain their membership on This Committee, shall vote in the district(s) in which they are registered.

(3) For all other ~~the~~ meetings of This Committee (whether regular or special), ~~this~~ the qualification date shall be 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 that meeting. ~~the State Endorsing Convention.~~

In Article VIII (Endorsements):

In Section 3(d)(3)(a), change “11:00 p.m.” to “a time set by the State Chair that is no earlier than 4 hours after the form was issued.”

In section 3(g)(5)(c)(1)(a) change “July 15” to “a date that is announced by the state chair and is between 300 and 310 days prior to the following statewide primary election”

In section 3(g)(5)(c)(1)(a)(i) change “July 1” to “a date that is announced by the state chair and is between 315 and 325 days prior to the following statewide primary election and is 14 days prior to the date specified in section 3(g)(5)(c)(1)(a) above.”

In section 3(g)(6) change “July 15 of the year preceding the pre-endorsing conference, as provided hereinabove” to “the date selected pursuant to section 3(g)(5)(c)(1)(a) above”

Proposal relating to Pulling Incumbents off of the Endorsements Consent Calendar in Extraordinary or Emergency Circumstances.

CDP Bylaws, Article VIII, Section 3g(12),

An incumbent seeking election to the same office currently held shall be automatically placed on the consent calendar of This Committee’s endorsing convention unless:

(a) There is more than one incumbent seeking the same office, or

(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 participants or two-thirds of a body composed of the statewide officers of This Committee plus the regional director(s) whose region(s) include(s) all or part of the district

represented by the incumbent file a petition to include the incumbent in the endorsement process otherwise indicated in this Section.

CDP Bylaws, Article VIII, Section 3.d. to add a new paragraph (7),
An incumbent who has been automatically placed on the consent calendar of This Committee's endorsing convention by operation of Section 3g(12) of this Article shall be removed from the consent calendar for separate vote by the convention if by 8 PM on the day prior to the date of the vote on the consent calendar by the endorsing convention there is filed a petition with the Secretary of This Committee that provides that it is in the best interest of the California Democratic Party that such removal from the consent calendar occur, and that the petition be signed by two-thirds of a body composed of the statewide officers of This Committee plus the regional director(s) whose region(s) include(s) all or part of the district represented by the incumbent. Vacancies shall not be counted in the percentages but proxies may vote in place of their principal according to rules otherwise provided in these bylaws.

Rules Committee requested modification for the above Amendment

Change "body" to "the following:"

CDP Bylaws, Article VIII, Section 3.d. to add a new paragraph (7),
... filed a petition with the Secretary of This Committee that provides that it is in the best interest of the California Democratic Party that such removal from the consent calendar occur, and that the petition be signed by two-thirds of the following: a body composed of the statewide officers of...

Proposals relating to Special Election Post-Primary Endorsements.

CDP Bylaws Article VIII, Section 3g(12),

In the case of a special election where an endorsement cannot be made at the biennial endorsing convention of the California Democratic Party, for the primary special election the Chair of This Committee shall cause to be convened a Special Election Endorsing Caucus of the members of This Committee resident in the relevant district, shall designate a convener and shall appoint a Special Elections Appeals Committee. The endorsing caucus shall be comprised of all members of This Committee resident in the district at 5 PM of the day of the Governor's Proclamation of the election, except that;

CDP Bylaws Article VIII, Section 3g(12), add a new section 4,

(4) Special election post-primary provisions

(a) If a candidate was endorsed pursuant to subsection e.(1), (2), and (3) of this section above, that endorsement shall remain in effect for the special election run-off. Otherwise:

(b) The procedure shall be substantially similar to the post-primary process provided in section 3h. of this article except that the timeline for this procedure shall be compressed to conform to the process in subsection e.(1), (2), and (3) above.

Proposal relating to Post-Primary Endorsements.

CDP Bylaws, Article VIII, section (h),

(1) If there are two Democratic candidates

- a. In the case of a Statewide race, the endorsement will be put before the next Executive Board
- b. For all other races:~~If there are two Democratic candidates~~, the State Chair shall call to be convened a district endorsing caucus comprised of all members of This Committee resident in the district as of the date of eligibility for the immediately preceding Meeting of this Committee, except that:
 - (1) those members appointed by the appointing authorities for the offices described in Article II, sections 2a(10) and 2a(12) and not appointed pursuant to Article II, section 3c shall not be

eligible to participate (or be counted in any calculation of percentages needed for endorsement under this section) unless the appointee is registered to vote in the same electoral District as the one that the appointing authority represents, and

- (2) members who were eligible as of the date of eligibility for the immediate preceding Meeting of This Committee but have since the appointing deadline died, moved, changed their registration to a district other than the district the election is occurring, or resigned may be replaced by the appropriate appointing authority ~~or in the case of a Statewide race, will put the endorsement before the next Executive Board.~~

Proposal on the timing of the election of Executive Board Members from Democratic County Committees.

CDP Bylaws, Article VII, Section 2.b.(2),

County Committee representatives to the Executive Board shall be elected by their respective County Committees as provided in their bylaws at their first regular meeting following This Committee's state convention in an odd-numbered year. Only Democratic State Central Committee Members who hold their membership by virtue of Article II, Section 4 shall be eligible for such election.