

MEMORANDUM

TO: California Democratic Party (CDP) Executive Board
FROM: CDP Rules Committee
DATE: November 7, 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 this 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 decided such issues rests in the Credentials Committee; provided, however, a denial of a dues and/or fee waiver may be appealed to the Statewide 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).

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 the 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.

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 convenor 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.