

CALIFORNIA DEMOCRATIC PARTY

STATE CENTRAL COMMITTEE BY-LAWS

(Amended 5/2004, Printed 11/2004)



California Democratic Party

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1 **CALIFORNIA DEMOCRATIC PARTY**
2 **STATE CENTRAL COMMITTEE BY-LAWS**
3 (amended 5/2004, printed 11/2004)
4

5 **ARTICLE I**

7 **NAME AND PURPOSE**

8
9 **Section 1. NAME**

10
11 The name of this organization shall be the CALIFORNIA DEMOCRATIC PARTY. Its
12 governing body shall be the DEMOCRATIC STATE CENTRAL COMMITTEE (This
13 Committee).
14

15 **Section 2. PURPOSE**

- 16
- 17 a. All persons registered as Democrats, pursuant to the laws of the State of California,
18 are members of the California Democratic Party and are entitled to participate in the
19 official organization of the California Democratic Party as provided by the laws of
20 the State and these By-Laws.
21
 - 22 b. These By-Laws shall govern the organization, operation and functions of that
23 political party known as the California Democratic Party (The Party) and the
24 Democratic State Central Committee (This Committee).
25
 - 26 c. This Committee shall elect state officers of the Party and members of the Democratic
27 National Committee, shall adopt a State Party platform in gubernatorial years and
28 may adopt a proposed national platform in presidential election years, shall conduct
29 campaigns for the party and its candidates for public office, shall appoint committees
30 and employ staff as deemed desirable, and shall conduct such other business as the
31 policy and program of the Party may require.
32
 - 33 d. This Committee may endorse partisan primary elections and may take positions on
34 ballot measures.
35

36 **Section 3. SECTIONS**

37
38 This Committee shall be divided into a Southern and Northern Section:
39

- 40 a. The Southern Section shall be comprised of the Counties of Imperial, Kern, Los
41 Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and
42 Ventura.
43
- 44 b. The Northern Section shall be comprised of the remaining Counties in the State.
45

46 **Section 4. REGIONS**

47
48 This Committee shall be further divided into Regions. Regions shall be defined by A.D.
49 boundaries and are subject to redistricting by the Organizational Development Committee

1 for approval by This Committee or its Executive Board. (See also Article III, Section 4.)

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ARTICLE II

MEMBERSHIP

Section 1. MEMBERSHIP

- a. The Committee shall consist of:
- (1) One member for each elective public office named in Section 2a of this Article.
 - (2) Members appointed pursuant to Section 3 of this Article.
 - (3) Members elected by County Central Committees of the Party pursuant to Section 4 of this Article.
 - (4) Members elected by Assembly District Committees pursuant to Section 5 of this Article.
 - (5) National Committee members of the Party.
 - (6) The immediate past state officers of This Committee.
 - (7) The President of the California Democratic Council, the Executive Vice President-North, the Executive Vice President-South, and the Executive Vice President-Central.
 - (8) Four (4) officers of the California Young Democrats. These shall consist of the State President and three (3) other officers, as determined by the California Young Democrats.
- b. Membership shall terminate, subject to renewal, every two years and shall extend from the convening of the first regular meeting of this Committee in the odd numbered year to the convening of the first regular meeting held in the next odd-numbered year, with vacancies occurring during this period filled in accordance with the provisions of Section 9 of this Article.
- c. There shall be no dual memberships. The membership of any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section who resigns or is removed shall terminate upon selection of their replacement. A member who becomes eligible for membership on some other grounds during his or her two-year term shall inform the State Chair of the eligibility and identify the position which he or she wishes to represent.
- d. All members of This Committee must be duly registered members of the Democratic Party of California.

1 **Section 2.** **PUBLIC OFFICE MEMBERS**

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a. For purposes of this Section, the following public officers shall be referenced:

- (1) Governor
- (2) Lieutenant Governor
- (3) Treasurer
- (4) Controller
- (5) Attorney General
- (6) Secretary of State
- (7) Insurance Commissioner
- (8) Superintendent of Public Instruction, as per Article II, Section 6
- (9) Members of the State Board of Equalization
- (10) Members of the State Legislature
- (11) Members of the United States Senate and the House of Representatives from California.

b. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section and whose term of office extends beyond January of the next odd-numbered year shall be a member of This Committee for the two-year period commencing at the first regular meeting of that year. Any Democrat who is elected in a special election shall serve the remainder of the term.

c. Any Democrat who is elected or otherwise designated to hold an office named in subdivision (a) of this section during the two-year period commencing in January of the odd-numbered year shall be a member of This Committee upon election or designation for the remainder of the two-year period.

d. In the case of an office named in subdivision (a) of this section to which a Democrat has not been selected at the most recent general election in which a nomination for that office was made, the Democratic Party nominee at the most recent primary election shall be a member of This Committee during the two-year period commencing at the first regular meeting of an odd-numbered year or until such time during that period that a Democrat is elected or designated to hold that office.

1 e. In the case of an office named in subdivision (a) of this section for which a special
2 election was held and no Democrat was elected, the highest vote-getting Democrat
3 shall be a member of This Committee during the remainder of the two year term,
4 unless the prior nominee for this office is still a member of This Committee by virtue
5 of having been nominated to that office.
6

7 f. In the case of an office named in subdivision (a) for which subdivisions (b), (c), and
8 (d) are all inapplicable, one member shall be appointed as follows:
9

10 (1) If a state legislative office is involved, by appointment of a voter who resides
11 in the district in question by the relevant County Central Committee of the
12 Party. The relevant County Central Committee is determined as follows:
13

14 (a) If the district is situated wholly within a single county, the County
15 Central Committee for the county in which the district is situated;
16

17 (b) If the vacancy occurs in a district comprising two or more counties
18 and is caused by disqualification or death, the County Central
19 Committee for the county in which the disqualified, deceased or
20 resigned member resided;
21

22 (c) If the vacancy occurs in a district comprising two or more counties
23 and is not caused by disqualification or death, the County Central
24 Committee for the county in which the non-Democratic legislator or
25 the most recent non-Democratic nominee for the office in question
26 resides.
27

28 (2) If the office of the U.S. Senate or any of the statewide offices named in
29 subdivision (a) of this section is involved, by appointment by the Executive
30 Board of This Committee.
31

32 (3) If the office of a member of the United States House of Representatives is
33 involved, by appointment by the Executive Board of This Committee of a
34 voter who resides within the Congressional District to be represented.
35

36 g. Any member of This Committee whose membership is held pursuant to subdivision
37 (b), (c), or (d) of this Section shall be known as a "Public Office Member."
38

39 **Section 3. APPOINTED MEMBERS**
40

41 a. Each member identified in Section 2b or 2c of this Article shall be entitled to appoint
42 six members, at least three of whom shall be of the opposite sex; except that
43 members elected to Congress and the State Assembly shall be entitled to appoint five
44 members, at least three of whom shall be of the opposite sex.
45

46 b. Each member identified in Section 2d or 2e of this Article shall be entitled to appoint
47 three members, at least two of whom shall be of the opposite sex; except that
48 nominee members for Congress and the State Assembly shall appoint two members,
49 at least one of whom shall be of the opposite sex.

- 1
2 c. Appointment of members to This Committee shall be made in writing in the form
3 prescribed by the Secretary of This Committee, signed by the appointing member
4 and delivered to the State Chair of the Party. Appointees shall serve at the pleasure
5 of the appointing member. Delivery of notification of appointment to This
6 Committee shall be made no later than February 7 following the General Election, in
7 order to be eligible to vote at the next meeting of This Committee, except in the case
8 of a special election not certified by Feb 7, delivery of notification of appointment to
9 This Committee shall be made not later than fourteen (14) days after certification of
10 the election.

11
12 **Section 4. MEMBERS ELECTED BY COUNTY CENTRAL COMMITTEES**

- 13
14 a. Each County Central Committee of the Party shall elect, from its own members as
15 defined by its by-laws, representatives who shall serve at the pleasure of the County
16 Central Committee to This Committee as follows: four members as base
17 representation, plus one member for each 10,000 registered Democrats or fraction
18 thereof.
19
20 b. The number of registered Democrats shall be as of the most recent report of
21 registration to the Secretary of State. The Secretary of the State Committee shall
22 secure the registration totals received by the Secretary of State seven days prior to
23 the General Election, and shall forthwith notify the respective County and District
24 Committees of the Party registrations and the allocation of members to be elected
25 under provisions of the Elections Code.
26
27 c. Elections shall be held by January 31 following the regular general statewide
28 election. Those committees that reorganize in January shall elect their representatives
29 to This Committee at their organizational meetings. Delivery of notification of
30 election shall be made to This Committee no later than February 7 following the
31 General Election, in order for the representative to be eligible to vote at the next
32 meeting of This Committee.
33
34 d. Persons elected as members shall be divided as equally as possible between men and
35 women and shall be members of the County Central Committee as of the date of the
36 first regular meeting of This Committee.
37
38 e. By no later than January 7 of an odd-numbered year, the County Chair shall notify
39 the State Chair of the Party in writing signed by him or her of the names and
40 addresses of the persons elected to membership of This Committee. Those
41 committees which reorganize in January shall make this notification within three
42 days of the elections held pursuant to subsection (c).
43
44 f. County Central Committees may provide for the election of their allocation of
45 membership on an at-large basis or by Supervisorial or Assembly Districts, or by any
46 combination thereof.
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1 **Section 5. MEMBERS ELECTED BY ASSEMBLY DISTRICT COMMITTEES**

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- a. Each Assembly District Committee, as provided in Article VI of these By-Laws, shall elect twelve members who shall serve at the pleasure of the Assembly District Committee to This Committee who are members of the Assembly District Committee.
- b. Assembly District Committee meetings shall be held on the second Saturday or Sunday in January following the General Election. The State Chair will call a district committee meeting the fourth Saturday or Sunday in January for any Assembly District where no action has been reported. The Chair of the Assembly District Committee shall be elected at the same meeting at which Assembly District Committee delegates to This Committee are elected. Delivery of notification of election shall be made to This Committee no later than February 7 following the General Election, in order for the representative to be eligible to vote at the next meeting of This Committee.
- c. Persons elected as members shall be as equally divided as possible between men and women. In the event less than six of one sex should be candidates for election as representatives to This Committee, they shall be deemed automatically elected, with the balance of the delegation being of the other sex.
- d. Within five days following the Assembly District election, the person calling the election shall notify the State Chair of the Party in writing signed by him/her of the names and addresses of the persons elected to membership on This Committee.

Section 6. STATEWIDE NON-PARTISAN OFFICES

The highest vote-getting candidate for a Statewide Non-Partisan office registered as a Democrat, at the time of the close of filing, shall be a member of This Committee. If elected, such candidate shall be entitled to appoint six members of This Committee, at least three of whom must be of the opposite sex. If not elected, such candidate shall be entitled to appoint three members of This Committee, at least two of whom must be of the opposite sex. In the case of an office for which the above does not apply, one member shall be appointed by the Executive Board of This Committee to fill the appointor's position.

Section 7. NOTIFICATION OF APPOINTMENT OR ELECTION

- a. The Chair of This Committee shall notify each person appointed or elected as a member of This Committee:
 - (1) That he or she is a member of This Committee;
 - (2) Of the date, time and place of the first regular meeting of This Committee;
 - (3) That the meeting may be attended either in person or by proxy;
 - (4) 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;

- 1
2 (5) The proxy shall be in writing signed by the member under penalty of perjury.
3
4 b. The Chair of This Committee shall enclose, with each notification of appointment or
5 election, one proxy form.
6
7 c. The Chair of This Committee shall provide all members with appropriate notice and
8 forms of proxy prior to each special meeting of This Committee.
9

10 **Section 8. QUALIFICATION FOR MEMBERSHIP**

11
12 A person is eligible for membership on This Committee only if such person is registered as
13 affiliated with the Party at the time of election or appointment.
14

15 **Section 9. REMOVAL FROM MEMBERSHIP**

- 16
17 a. This Committee may remove any member if, during his/her term of membership,
18 such member affiliates with or registers as a member of another party; publicly
19 avows preference for another party; publicly advocates that the voters should not
20 vote for the endorsed candidate of This Party for any office; or who publicly gives
21 support to or avows a preference for a candidate nominated by another party; or fails
22 to pay the prescribed dues as provided in Section 10 of this Article.
23
24 b. Removal of a member may be effected in the following manner:
25
26 (1) At least two members of the Executive Board must sign and submit to the
27 Secretary of This Committee a written statement of charges containing the
28 grounds for removal.
29
30 (2) The Secretary of This Committee, upon receipt of the statement of charges,
31 must send to the accused member by timely registered mail, a copy of the
32 statement of charges and a letter stating: that the accused member may either
33 resign or have a hearing before the officers of This Committee named in
34 Article III, Section 2 that at such hearing, the accused member shall be
35 afforded an opportunity to respond to the statement of charges and to
36 confront the witnesses against such member; and that such member may be
37 represented by counsel at such hearing.
38
39 (3) If the accused member does not resign, the Secretary of This Committee shall
40 send a copy of the statement of charges to all officers of This Committee
41 along with a notice of the hearing date.
42
43 (4) At the hearing the officers shall examine the statement of charges brought
44 against the accused member. The accused member shall be afforded an
45 opportunity to respond to the charges, to confront any witnesses against such
46 members, and may be represented by counsel if desired. Such hearing shall
47 be conducted in such fashion as to afford the accused member due process of
48 law. After such hearing upon motion for removal, the accused member may
49 be removed by a vote of not less than two-thirds of the officers present and

1 voting.

2
3 **Section 10. VACANCIES**

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5 a. A vacancy on This Committee shall be deemed to exist in the event of the
6 appointment or election to membership of an ineligible person or whenever any
7 member dies, resigns or is removed, becomes incapacitated to act, is removed from
8 membership pursuant to Section 8 of this Article, resigns from public office per
9 section 2a of this Article, ceases to be a Central Committee county resident, assumes
10 membership through other means, or ceases to be a member of the Party.

11
12 b. Vacancies shall be filled as follows:

13
14 (1) Should a member appointed to membership pursuant to Section 3 of this
15 Article cease to be a member for any reason specified in subdivision (a) of
16 this Section, the vacancy shall be filled not less than three days preceding the
17 next meeting of This Committee by the original appointing member. The
18 original appointing member shall notify in writing the State Chair of the
19 Party of all appointments made pursuant to this subdivision. If the original
20 appointing person is no longer a member of This Committee or does not wish
21 to fill the vacancy, the State Chair of This Committee shall do so.

22
23 (2) Should a member elected to membership by a County Central Committee
24 cease to be a member for any reason specified in subdivision (a) of this
25 Section, notice shall be given to the County Central Committee by This
26 Committee as soon as possible after occurrence of the vacancy, and the
27 County Central Committee shall fill the vacancy at its next meeting
28 following the notification. The County Committee Chair shall notify in
29 writing the State Chair of the Party of the election held pursuant to this
30 subdivision.

31
32 (3) Should a member elected to membership by an Assembly District Committee
33 cease to be a member for any reason specified in subdivision (a) of this
34 Section, at the earliest convenience the A.D. Chair shall call a meeting of the
35 Assembly District Committee which shall fill the vacancy. Such person shall
36 notify, in writing, the State Chair of the Party of the selection made pursuant
37 to this subdivision.

38
39 **Section 11. DUES**

40
41 a. Dues shall be paid by This Committee's members. The Executive Board shall
42 establish the time and manner by which these dues shall be paid before the next
43 scheduled meeting of This Committee.

44
45 b. Any member who fails to pay the prescribed dues may be removed from This
46 Committee in the manner prescribed in Section 8 of this Article, except that payment
47 of dues shall not be obligatory for any member to whom it constitutes an economic
48 hardship.

- 1 c. The name of any elected or appointed member who, without cause, fails to pay the
2 prescribed dues shall be forwarded to the appointing member or the chair of the
3 electing body before the initiation of removal proceedings.
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6 **ARTICLE III**

8 **OFFICERS**

10 **Section 1. STATEWIDE OFFICERS**

- 11
12 a. The statewide officers of This Committee shall be a State Chair; two State Vice
13 Chairs; a Secretary; and a Controller.
14
15 b. All statewide officers shall be elected to four year terms.
16
17 c. The Vice Chair from the opposite section of the State as the Chair shall be of the
18 opposite sex of the Chair and shall be designated the First Vice Chair.
19
20 d. A prerequisite for candidacy to a statewide office is that a candidate be a member of
21 This Committee by the time the election takes place.
22
23 e. The Executive Board shall have the power to compensate the State Chair. Any
24 decrease in compensation shall not take effect until the next election of the State
25 Chair, except upon two-thirds vote of the Executive Board.
26

27 **Section 2. DESCRIPTION OF DUTIES**

- 28
29 a. The State Chair shall be the chief executive officer and the official voice of This
30 Committee, shall carry out the policies and purposes, and shall pursue its interests to
31 the best of his/her abilities.
32
33 b. The Vice Chair from the opposite section as the Chair shall assist the Chair in the
34 performance of the duties of that office. To the extent necessary, the Vice Chair from
35 the opposite section as the Chair shall exercise the powers of the Chair in the event
36 of the Chair's absence. In the event that the office of Chair is vacated, the Vice Chair
37 from the opposite section as the Chair succeeds to the office of Chair until a new
38 Chair has been selected as provided in Section 5a below. The Vice Chair from the
39 opposite section as the Chair shall be responsible for organizational maintenance and
40 development within his/her section consistent with the policies of the State Chair and
41 This Committee. For the purpose of representation on the DNC, the Vice Chair from
42 the opposite section as the Chair shall be considered the Party's highest ranking
43 officer of the opposite sex of the Chair.
44
45 b. The Vice Chair from the same section as the Chair shall assist the State Chair in the
46 performance of the duties of that office. The Vice Chair from the same section as the
47 Chair shall be responsible for organizational maintenance and development within
48 his/her section consistent with the policies of the State Chair and This Committee. In
49 the event of a vacancy in both the office of the Chair and the Vice Chair from the
50 opposite section, the Vice Chair from the same section as the Chair succeeds to the

1 office of Chair until a new Chair has been selected as provided in Section 5a below.

2
3 d. The Secretary shall maintain all records of This Committee, shall serve all required
4 notices, shall discharge such other duties as pertain to this office, and shall turn over
5 at the end of his/her term of office all records and documents associated with the
6 office of Secretary to This Committee.

7
8 e. The Controller shall have access to the financial records maintained by This
9 Committee's Treasurer, shall prepare and deliver at each Executive Board meeting a
10 report on the financial affairs of This Committee, shall serve as Chair of the Finance
11 Committee, and shall turn over at the end of his/her term all records and documents
12 associated with the office of Controller to This Committee.

13
14 **Section 3. ELECTION OF STATEWIDE OFFICERS**

15
16 a. The Statewide officers shall be elected to their four-year terms at the first meeting of
17 This Committee held immediately following the conclusion of a presidential election
18 year. The election for State Chair shall take place on Saturday of that convention.
19 The election of the other statewide officers shall take place on Sunday.

20
21 b. All statewide officers shall be elected by the entire membership of This Committee.

22
23 c. A candidate for any statewide office shall file a notice of intent-to-run for that office
24 which must be received by the Secretary of the Party by 5p.m. of the day which is
25 sixteen (16) calendar days prior to the opening of credentialing for the
26 Convention. No withdrawals shall be allowed after that date. Should the
27 incumbent officeholder fail to file the notice of intent to run by that date, then the
28 filing deadline shall be extended to the day which is nine (9) days prior to the
29 opening of credentialing for the Convention. No withdrawals shall be allowed
30 after that date.

31
32 d. Following the close of nominations for officers, no additional nominations shall be
33 permitted, except for an office for which no person has been nominated prior to the
34 close of nominations or for which all persons nominated have withdrawn.

35
36 e. No vote for any person shall be counted unless the person has been duly nominated
37 for, and has accepted that nomination for the office for which such vote is cast.

38
39 f. In the event only one person is nominated for any office and such person accepts the
40 nomination, the Secretary of the meeting shall be directed to cast a unanimous ballot
41 for such candidate at the time of the election.

42
43 g. In the event no candidate receives a majority vote on the 1st ballot, a runoff election
44 (2nd ballot) shall be held between the two persons receiving the largest number of
45 votes actually cast for all candidates who have been duly nominated for and accepted
46 the nomination for the office involved.

1 **Section 4. REGIONAL DIRECTORS**

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- a. There shall be 16-25 Regional Directors of This Committee who, with its Statewide officers, shall constitute the State Officers of the California Democratic Party.
- b. 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.
- c. Elections of Regional Directors shall be governed by the provisions set forth in Article III, Section 3, subsections c.-h.
- d. The Regional Directors shall assist the statewide officers in the maintenance and development of the Party organization within their respective regions. They are responsible for developing, assisting, and coordinating the A.D. Committees, the County Central Committees, Clubs & other Democratic organizations within their region.
- e. A candidate for Regional Director must be a member of This Committee, and may only file for Regional Director position of the State Party Region in which he/she is registered to vote. Should a Regional Director re-register outside of his/her Region during his/her term of office, he/she shall be assumed to have vacated the office.

26 **Section 5. VACANCIES**

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- a. In the event that any statewide office shall become vacant, the vacancy shall be filled on a temporary basis by the Executive Board of This Committee and a new election for that office shall be held at the next State Convention of This Committee. The person elected must be from the same section as the person who vacated the given office, and he/she shall serve the remainder of the four year term of that office. The election shall be held consistent with the provisions found in Section 3 above.
- b. In the event that any Regional Directorship shall become vacant, the vacancy shall be filled by the Executive Board of This Committee. The person elected must be from the same region as the person who vacated the given office, and he/she shall serve the remainder of the two-year term of that office.

40 **Section 6. REMOVAL OF OFFICERS**

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- An officer of this organization may be removed from office for cause -- that is, misconduct or neglect of duty in office as differentiated from the Party disloyalty reasons for removing a member from membership -- by the following procedures:
- (1) At least 20 members of the Executive Board must sign and submit to the Secretary a written Statement of Charges containing the grounds for removal.
 - (2) The Secretary, upon receipt of the Statement of Charges, must send to the accused

1 officer by registered mail a copy of the Statement of Charges and a letter stating that
2 the accused officer may either resign or have a hearing by way of motion for removal
3 at the next regular meeting of the Executive Board.

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5 (3) If the accused officer does not resign, the Secretary shall send a copy of the
6 Statement of Charges to all members of the Executive Board along with the notice
7 for the next regular meeting of the Executive Board.

8
9 (4) At said next regular meeting of the Executive Board, the accused officer shall be
10 afforded an opportunity to respond to the charges. After such hearing, upon motion
11 for removal made by one of the signatories to the Statement of Charges, the accused
12 officer may be removed by two-thirds (2/3) vote of all members present and voting,
13 provided there is present and voting at least 33-1/3 percent of the membership of the
14 Executive Board.

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17 **ARTICLE IV**

18
19 **MEETINGS**

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21 **Section 1. REGULAR MEETINGS**

22
23 a. The Democratic State Central Committee shall convene its first regular meeting (also
24 known as its first meeting) no later than April 30 in odd number years. The State
25 Chair shall determine the precise dates, consistent with this provision. The roll of
26 eligible voters at this meeting shall consist of those members who have qualified as
27 of February 7, pursuant to Article II above.

28
29 b. The State Chair shall call This Committee to order at 10:00 a.m. on the morning of
30 the first day of such meeting, and as soon as practicable thereafter shall cause the roll
31 to be called from the list of certified members and proxies. The next business in order
32 shall be the election of a temporary Chair which may be by acclamation, unless there
33 is a contest, in which event the roll shall be called. The Temporary Chair, upon
34 election, shall appoint at once a committee on credentials and proxies, the
35 composition and duties of which are set forth in Section 2 of Article V of these
36 By-Laws.

37
38 c. This Committee shall hold at least one meeting each even-numbered year.

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40 **Section 2. SPECIAL MEETINGS**

41
42 This Committee may hold special meetings in any of the following ways: upon call of the
43 State Chair; upon call of the Executive Board; or upon the call of the State Chair within 15
44 days after receipt by the Chair of a written request signed by a majority of the members of
45 This Committee.

1 **Section 3. PLACE OF MEETINGS**

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3 The regular meetings of This Committee shall be held in a suitable location determined by
4 the Executive Board or, if the Executive Board does not meet, by the State Chair of the
5 Party.

6

7 **Section 4. AGENDA**

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9 a. The agenda for all regular meetings shall be determined by the Executive Board of
10 the Party.

11

12 b. Such agenda shall include provisions for adoption of a Party Platform, election of
13 Party officers, election of National Committee Members, adoption of Party By-Laws,
14 and such other matters as may be deemed in the best interest of the Party.

15

16 **Section 5. QUORUM**

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18 A majority of the credentialed members of the organization represented either in person or
19 by proxy shall constitute a quorum for the transaction of business. If at any regular or special
20 meeting of this organization, or a committee thereof, a quorum is not present, those present
21 may adjourn until a time when a quorum shall be present.

22

23 **Section 6. PROXIES**

24

25 a. Members of This Committee may be represented at any meeting of This Committee
26 by proxy. A member may give his/her proxy to a registered member of the
27 California Democratic Party, of the same sex whenever possible, who is not already
28 a member of This Committee subject to the following limitations:

29

30 (1) A member elected by a County Central Committee may only give his/her
31 proxy to a member, as defined by its by-laws, of the same County Central
32 Committee.

33

34 (2) A member elected by an Assembly District Committee may only give his/her
35 proxy to a member of the same Assembly District Committee.

36

37 (3) A proxy holder shall only vote in the district in which the person for whom
38 he/she is a proxy resides.

39

40 b. Proxies shall be signed by the member under penalty of perjury and shall be in the
41 form prescribed by the Secretary of This Committee.

42

43 c. No proxy shall be recognized unless filed with This Committee prior to the close of
44 registration for a meeting of This Committee.

45

46 d. Revocation or change of proxies shall be recognized by the Credentials Committee
47 only upon a request made by the member in person before that committee.

48

49 e. No person may hold more than one proxy. Voting by proxy shall not be permitted

1 with respect to standing or special committees of This Committee.
2

3 **Section 7. PARLIAMENTARY PROCEDURES AND VOTING**
4

- 5 a. In all cases not provided for by law or by these By-Laws, the meeting of this
6 organization shall be governed by ROBERTS RULES OF ORDER.
7
8 b. When a voice or standing vote is taken at a meeting of This Committee, it shall be
9 the duty of Regional Directors to monitor their delegation to insure that only those
10 eligible are voting.
11
12 c. When a roll call vote is taken, the roll call shall be conducted by the Regional
13 Directors who shall report the vote of their delegation to the Tally Clerk.
14
15 d. On any demand by a member for a roll call vote, the Chair must present the demand
16 to the floor. Upon approval by at least 300 members by a standing vote, the roll shall
17 be called in the manner prescribed in subdivision (c) of this Section.
18
19 e. During any vote, the Chair may cause the floor to be cleared of persons who are not
20 members or alternates of This Committee or do not carry a proxy therefrom.
21

22 **Section 8. RESOLUTION PROCEDURES**
23

- 24 a. Form
25
26 (1) All resolutions must be typed.
27
28 (2) Inducement (e.g., Whereas) clauses shall be limited to three (3) or less, and
29 resolve clauses shall be limited to two (2) or less.
30
31 (3) Resolutions must be no longer than one (1) 8-1/2" x 11" typewritten page.
32
33 (4) All resolutions must be adopted by an Assembly District Committee, County
34 Central Committee, or a Chartered Democratic Club or sponsored by twenty-
35 five (25) members of This Committee.
36
37 b. Timely Resolutions
38
39 (1) Resolutions must be received by the State Chair of the Party, thirty (30)
40 calendar days prior to a meeting of This Committee, except as provided in
41 subsection (c) below.
42
43 (2) Copies of resolutions submitted according to the above procedure shall be
44 mailed by the State Chair of the Party to all members of the Resolutions
45 Committee prior to a meeting of This Committee.
46
47 c. Late / Floor Resolutions
48
49 (1) Twenty-five (25) copies of each resolution must be provided to the

1 Resolutions Committee by the sponsor(s) of the resolution.

2
3 (2) All resolutions to be considered at a meeting of This Committee must be
4 presented for consideration at the Resolutions Committee meeting preceding
5 the general session. In order to be considered at the general session, a late
6 resolution must have the unanimous consent of the Resolutions Committee to
7 be considered and all resolutions must be approved by the Resolutions
8 Committee. Any resolution heard by the Resolutions Committee, failing to
9 obtain approval, may be brought to the floor of a meeting of This Committee
10 with the signatures of three hundred (300) members of This Committee on
11 forms approved by the Resolutions Committee.

12
13 (3) All resolutions to be presented from the floor shall be submitted to the
14 Secretary of the Convention for signature verification by 5:00 p.m. on the
15 day before the resolution is presented.

16
17 (4) The sponsor of a resolution presented from the floor shall be responsible for
18 providing the Secretary of the Convention with sufficient copies of their
19 resolution for each member of This Committee.

20
21 d. Resolutions pending at the close of a Convention of This Committee shall be referred
22 to the Executive Board of This Committee. All such resolutions shall first be
23 presented to the Resolutions Committee for recommendation to the Executive Board.
24 The Resolutions Committee shall recommend: adoption, adoption with amendment,
25 or rejection. Such resolutions shall be presented to the Executive Board for
26 consideration in its original form unless the sponsor agrees to the amendment(s)
27 recommended by the Resolutions Committee.

28
29 **Section 9. SEATING**

30
31 Seating at meetings of This Committee shall be organized by Assembly Districts.

32
33 **Section 10. SPECIAL GROUP CAUCUSES**

34
35 a. In order to implement policy guidelines for Special Group Caucuses, This
36 Committee may grant official recognition to a statewide caucus of individual
37 members sharing demographic or similar identity pertaining to their individual status
38 for the purpose of participation in the policy decisions and the outreach programs of
39 the Party. Recognition shall be subject to the following provisions:

40
41 (1) A Caucus membership list and Caucus By-Laws are submitted for approval
42 to the Executive Board by way of the Rules Committee.

43
44 (2) The Caucus membership list is comprised of at least one percent of the full
45 membership of This Committee, with each person on such list affirming by
46 signature support for the official recognition of such a Caucus and affirming
47 that he or she shares the demographic or similar identity which defines the
48 Caucus.

- 1 (3) The Caucus By-Laws are consistent with the By-Laws of this organization.
2
3 (4) Since all fundraising and expenditures of funds by the State Party, including
4 all of its authorized groups, now require coordination under Federal and State
5 Laws, each Special Group Caucus recognized by This Committee that
6 proposes to solicit funds in the name of the Democratic Party consistent with
7 the By-Laws and purposes of the Democratic Party, shall present a biennial
8 fund raising and budget proposal and shall submit it to the Budget and
9 Finance Committee or the State Chair for recommendation and approval.
10 Those events which are not included in the main budget proposal shall be
11 submitted on an individual basis.
12
13 (5) Quarterly financial reports shall be filed by such Caucus groups with the
14 Treasurer of the Democratic State Party to comply with law. The Treasurer
15 shall meet with and advise the treasurer of the recognized Special Group
16 Caucuses in regard to the required reporting of funds.
17
18 b. Failure to comply with subsections 1-5 above may subject a recognized caucus to
19 decertification by This Committee.
20
21 c. Official recognition of a Caucus shall extend throughout the remainder of the
22 two-year term of membership on This Committee.
23
24 d. The Chair of an officially recognized Caucus must be a member of This Committee
25 and shall be a member of the Executive Board of This Committee.
26
27 e. Membership and full voting rights in an officially recognized Caucus shall be open
28 to all registered Democrats who meet the membership requirements of such Caucus
29 By-Laws.
30
31

32 **ARTICLE V**

34 **STANDING COMMITTEES AND SPECIAL COMMITTEES**

36 **Section 1. STANDING COMMITTEES AND SPECIAL COMMITTEES**

37
38 The following standing committees shall be appointed: the committee on credentials and
39 proxies; the committee on rules; the committee on resolutions; the platform committee; the
40 committee on affirmative action; the committee on legislation; the committee on finance; the
41 organizational development committee; the campaign services committee and the candidate
42 recruitment and development committee. In addition, the State Chair of the Party may
43 appoint such special committees as he or she deems appropriate. The State Chair of the
44 Party, during his/her tenure, may also consolidate, or if once done, deconsolidate, standing
45 committees as deemed appropriate, subject to ratification by the Executive Board of This
46 Committee.
47

1 **Section 2. CREDENTIALS COMMITTEE**

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- a. The standing committee on credentials and proxies (designated as the Credentials Committee) shall be divided as equally as possible between the Northern and Southern sections as selected by the State Chair of This Committee from among its membership. The State Chair shall also appoint the Chair or Co-Chairs of the Credentials Committee from among its members.
- b. It shall be the duty of the Credentials Committee to approve the credentials of all persons appointed or elected to This Committee and to present a list of qualified members to the Temporary Chair of This Committee as soon as practicable. The Credentials Committee shall review and approve all proxies in accordance with Section 6 of Article IV of these By-Laws. All challenges of members or proxies shall be referred to the Credentials Committee for resolution.
- c. For the purpose of the first biennial convention of This Committee, the Chair shall appoint such additional members of the Credentials Committee as may be necessary to assure that there shall be at least one member from each Senate District.

20 **Section 3. RULES COMMITTEE**

- a. The standing committee on rules (designated the Rules Committee) shall consist of from 15 to 25 members, selected by the State Chair of the Party. The State Chair shall also appoint the Chair or Co-Chairs of the Rules Committee from among its members.
- b. It shall be the duty of the Rules Committee to keep the By-Laws and Rules of This Committee consistent with the aims and policies of This Committee, to propose changes in the rules and By-Laws and special rules when necessary, and to interpret the rules and By-Laws when called upon by the State Chair or the Executive Board.

32 **Section 4. RESOLUTIONS COMMITTEE**

- a. The standing committee on resolutions (designated the Resolutions Committee) shall consist of from 15 to 25 members appointed by the State Chair, at least four of whom shall hold a public office named in Article II Section 2a of these By-Laws. The State Chair shall also appoint the Chair or Co-Chairs of the Resolutions Committee from among the members of This Committee.
- b. It shall be the duty of the Resolutions Committee to review all resolutions proposed to This Committee or the Executive Board in accordance with these By-Laws. The Resolution Committee shall have authority to recommend, reject, or amend all such resolutions prior to referral to This Committee or the Executive Board. The Resolutions Committee shall establish and publish the procedures for the proposition of resolutions that are consistent with these By-Laws.

1 **Section 5. PLATFORM COMMITTEE**

2

3 a. The Platform Committee shall consist of from 15 to 25 members appointed by the
4 State Chair, at least four of whom shall hold a public office named in Article II,
5 Section 2a of these By-Laws. The State Chair shall also appoint the Chair or
6 Co-Chairs of the Platform Committee from among the members of This Committee.

7

8 b. It shall be the duty of the Platform Committee to hold at least one meeting in each
9 section of the state, to have a platform draft available for interested persons on the
10 first day of the meeting of This Committee at which the platform is to be considered,
11 to hold a final hearing during the first day of that meeting, and to present to This
12 Committee for approval a final draft of the platform during the second day of that
13 meeting.

14

15 **Section 6. FINANCE COMMITTEE**

16

17 a. The standing committee on budget and finance (designated the Finance Committee)
18 shall consist of from 15 to 25 members appointed by the State Chair, at least five of
19 whom shall be members of the Executive Board.

20

21 b. It shall be the duty of the Finance Committee to organize, in cooperation with the
22 officers of This Committee, activities and policies designed to protect and enhance
23 the financial position of the Party; to prepare in cooperation with the State
24 Committee a State Committee operating budget for presentation to the Executive
25 Board; and to review and report to the Executive Board on the budgeting policies of
26 the State Party.

27

28 **Section 7. ORGANIZATIONAL DEVELOPMENT COMMITTEE**

29

30 a. The standing committee on organizational development (designated the
31 Organizational Development Committee) shall consist of from 15 to 25 members
32 appointed by the State Chair who shall also appoint the Chair or Co-Chairs of the
33 committee.

34

35 b. It shall be the duty of the Organizational Development Committee to organize and
36 supervise the educational and training efforts of This Committee, including
37 grassroots organization and precinct training, in cooperation with the officers of This
38 Committee, and to recommend to the State Chair activities and policies designed to
39 improve the organizational effectiveness of the Party.

40

41 **Section 8. AFFIRMATIVE ACTION COMMITTEE**

42

43 a. The standing committee on affirmative action (designated the Affirmative Action
44 Committee) shall consist of from 15 to 25 members appointed by the State Chair
45 who shall also appoint the Chair or Co-Chairs of the Committee.

46

1 b. The Democratic Party has a commitment to diversity and openness in participation.
2 To ensure that commitment, the Affirmative Action Committee shall advise all
3 persons with power of appointment and all electing bodies of the demographics of
4 California Democrats so they may make informed choices in the selection and
5 election of delegates, committee members and staff who are representative of the
6 Democratic Party in gender, ethnicity, creed, age, sexual orientation, economic
7 status, physical ability, and area of residence.
8

9 c. It shall be the duty of the Affirmative Action Committee to implement and monitor
10 the goal of affirmative action for selection of:
11

12 (1) The delegates to all State Conventions and Conferences;

13
14 (2) The members of all standing committees of the State Central Committee of
15 the California Democratic Party;

16
17 (3) California delegates to all National Conventions and Conferences;

18
19 (4) The staff of the State Party.
20

21 **Section 9. LEGISLATION COMMITTEE**
22

23 a. The standing committee on legislation (designated the Legislation Committee) shall
24 consist of 26 members, including 6 members appointed at-large by the State Chair
25 and 20 additional members selected by the State Chair from nominations submitted
26 by the Assembly Districts. The State Chair shall also appoint the Chair or Co-Chairs
27 of the committee. Membership on the Legislation Committee shall be balanced as
28 equally as possible between the sexes and between the Northern and Southern
29 sections, and must reflect the regional, rural and urban, ethnic, and other diversities
30 of the State's population.
31

32 b. It shall be the function of the Legislation Committee to propose legislation when
33 needed, in response to the duties and policies of the Party; to maintain a listing of all
34 pending legislation that is of "must" and/or major concern to the Party; and to keep a
35 record of the vote by the Democratic Party legislators on such legislative items.
36

37 **Section 10. CAMPAIGN SERVICES COMMITTEE**
38

39 a. The standing committee on campaign services (designated as the Campaign Services
40 Committee) shall consist of 15 to 25 members selected by the State Chair of the
41 Party. The committee membership shall include 2 members of the Congressional
42 Delegation or their selected representatives, 2 members of the State Assembly, and 2
43 members of the State Senate. The State Chair shall also appoint the Chair or
44 Co-Chairs of the Campaign Services from among its members.
45

46 b. It shall be the duty of the Campaign Services Committee:
47

48 (1) To develop goals and guidelines for the State Party mail services program,
49 such as an operational plan for an effective vote-by-mail campaign in each

1 special and general election for state and local campaigns;

2
3 (2) To develop goals for the Campaign Task Force;

4
5 (3) To coordinate training seminars which include instruction on campaign
6 management, issues, and financial reporting requirements;

7
8 (4) To recommend guidelines to the State Chair and Executive Board on the use
9 of the Party bulk mail permit.

10
11 **Section 11. CANDIDATE RECRUITMENT AND DEVELOPMENT**
12 **COMMITTEE**

13
14 a. The standing committee on candidate recruitment and development (designated the
15 Candidate Recruitment and Development Committee) shall consist of members
16 appointed by the State Chair. The State Chair shall also appoint the Chair and
17 Co-Chairs of the Candidate Recruitment and Development Committee from among
18 its members.

19
20 b. It shall be the duty of the Candidate Recruitment and Development Committee to
21 make every reasonable effort to assure that with respect to each and every partisan
22 office that there shall be at least one Democratic candidate who has filed, who wishes
23 the Party's endorsement, and who is worthy of consideration for that endorsement as
24 allowed for in Article VIII, Endorsement of Candidates.

25
26
27 **ARTICLE VI**

28
29 **ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT COMMITTEES**

30
31 **Section 1. ASSEMBLY DISTRICTS**

32
33 a. The Assembly District Committee shall be the basic organizational unit of the
34 Democratic State Central Committee of the California Democratic Party.

35
36 b. It shall be the duty of all members of This Committee to establish and maintain an
37 Assembly District Committee in the district in which they reside. The Assembly
38 District Committee shall meet at the call of its Chair, or the Chair of This Committee.

39
40 c. The State Chair, Regional Directors and State Party Staff shall provide assistance as
41 needed, especially in the decennial period of district reapportionment.

42
43 **Section 2. ASSEMBLY DISTRICT COMMITTEES**

44
45 a. Each Assembly District Committee shall consist of the following:

46
47 (1) All members of This Committee resident in the district.

48
49 (2) All Democratic County Central Committee members resident in the District.

- 1 (3) All Delegates/alternates to the last Democratic National Convention resident
2 in the district.
3
- 4 (4) Representatives from each Democratic Club or other Democratic
5 organization chartered by This Committee or by a County Central
6 Committee, with such representatives allocated as follows: one
7 representative, resident in the District, for each full (not a fraction thereof) 20
8 members registered to vote in the District provided that the organization has
9 provided the A.D. Committee with names and addresses of its members.
10 Club members who hold dual club memberships may only be counted for
11 representation once. Such representatives must be registered Democrats.
12
- 13 (5) Any Democrat registered in the district who can provide written
14 documentation, in a form prescribed by the Secretary of the Party, that he/she
15 has registered 25 Democratic voters since the June primary of the most recent
16 even-numbered year.
17
- 18 (6) Any Democrat registered in the district who demonstrates that he/she is a
19 "Precinct Representative" of the California Democratic Party by submitting a
20 petition signed by 25 percent (or 50 registered Democrats, whichever is less)
21 of the registered Democrats in the precinct in which he/she resides, with all
22 such signatures to have been affixed since the June primary of the most
23 recent even-numbered year.
24
- 25 (7) Any other Democrat registered in the District who meets criteria established
26 in the Assembly District Committee By-Laws.
27
- 28 b. With the exception of those achieving their membership by a(1), a(2) and a(3) above,
29 membership shall expire on the date of the November general election held in each
30 even-numbered year. Requalification for Assembly District Committee membership
31 shall begin following the June primary.
32
- 33 c. Membership shall be certified by the chair of each Assembly District Committee 25
34 days prior to any meeting of that Committee, and a roster of membership shall be
35 maintained by that Chair and shall be provided, upon request, to the Chair of This
36 Committee. In order to be a voting member of an Assembly District Committee, an
37 individual's membership must have been certified as indicated herein.
38
- 39 d. An Assembly District Committee:
40
- 41 (1) Shall elect its own officers, elect representatives to This Committee and to
42 the Executive Board of This Committee, and shall ratify or adopt new
43 Assembly District Committee By-Laws of this Committee at its regular
44 biennial organizational meeting. Such By-Laws shall not be inconsistent with
45 This Committee's By-Laws and shall include provisions for removal of the
46 Committee Chair and for filling a vacancy in the position of Committee
47 Chair as well as such other provisions as the Rules Committee of This
48 Committee may set forth.
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- (2) Shall hold its regular biennial organizational meeting on the second Saturday or Sunday in January of every odd-numbered year upon the call of the Assembly District Committee Chair or, if none, of the Chair of This Committee, who shall also designate an acting Assembly District Committee Chair to serve until a permanent Chair has been elected. The State Chair will also call a District Committee Meeting on the fourth Saturday or Sunday in January for any Assembly District where no action has been reported. The Chair of the Assembly District Committee shall be elected at the same meeting at which Assembly District Committee Delegates to This Committee are elected.
 - (3) Shall extend full voting privileges to all its members.
 - (4) May, by by-laws provisions, delegate such powers & duties as deemed appropriate to an A.D. Executive Committee.
 - (5) Within 3 days following the A.D. Committee election meeting, the newly elected A.D. Committee Chair shall forward to the State Chair of the Party a list of the names and addresses of the officers, the A.D. representatives, and a current list of the members of the A.D. Committee and a copy of the A.D. By-Laws. Assembly District Committee By-Laws and all amendments thereto shall be submitted to the Compliance Review Commission of This Committee for review and approval.
 - (6) Shall be responsible for effecting liaison with Democratic campaign organizations operating within the A.D., its Regional Director and with appropriate County Committee(s).
 - (7) Shall be responsible, in cooperation with the relevant County Committee(s), for encouraging and developing the Party organization at the level of the precinct or in clusters of precincts designated as Areas, within the A.D.
 - (8) Shall carry out its organization and campaign responsibilities under the general direction of This Committee and the Executive Board of This Committee and shall carry out the policies and programs of This Committee in the Assembly District.
 - (9) Shall be entitled to direct representation on the Executive Board of This Committee by one vote per A.D.
 - (10) May, by by-law provision, require payment of dues as a condition precedent to certification of membership.
- e. Assembly District Committee delegates to This Committee shall be chosen from among its members at the District Committees regular biennial organizational meeting. In the event less than 6 of one sex should be candidates for election as representatives to This Committee they shall be deemed automatically elected, with the balance of the delegation being of the other sex.

1 f. Assembly District Committee Representatives to the State Executive Board.

2
3 (1) The Assembly District Representative to the State Executive Board, together
4 with an alternate of the opposite sex, shall be chosen at its regular biennial
5 organizational meeting from among those persons who will be delegates to
6 the forthcoming biennial convention of This Committee by virtue of being a
7 member of This Committee pursuant to Article II, Section 2b, 2d, 2e; Article
8 II, Section 3; or Article II, Section 5.

9
10 (2) Subject to the foregoing provisions, any officer of the A.D. Committee shall
11 be eligible.

12
13 (3) In the event that an Assembly District Committee has not been represented at
14 two successive meetings of the Executive Board, both the Representative and
15 the Alternate shall be subject to removal from the board upon notification of
16 the respective Assembly District Committee.

17
18 **Section 3. ASSEMBLY DISTRICT EXECUTIVE COMMITTEE**

19
20 a. The Assembly District Executive Committee shall consist of all members of This
21 Committee resident in the Assembly District, and such other members of the
22 Assembly District Committee as may be provided for in the Assembly District
23 By-Laws.

24
25 b. The Executive Committee shall exercise such powers and duties as may be
26 assigned to it by the Assembly District By-Laws.

27
28 c. Prior to the biennial Assembly District Committee organizational meeting, the
29 Executive Committee shall, on behalf of the Assembly District Committee, also
30 perform those duties and responsibilities for the Assembly District Committee as set
31 forth in the provisions for A.D. Committees in these By-Laws.

32
33
34 **ARTICLE VII**

35
36 **EXECUTIVE BOARD**

37
38 **Section 1. EXECUTIVE BOARD**

39
40 a. There shall be an Executive Board of This Committee which shall have all the
41 powers and duties of This Organization when it is not in actual session.

42
43 **Section 2. EXECUTIVE BOARD MEMBERSHIP**

44
45 The Executive Board shall consist of the following members of This Committee:

46
47 a. The following public officials:

48
49 (1) All United States Senators;

- 1 (2) The Governor, Lieutenant Governor, Treasurer, Controller, Attorney
2 General, Secretary of State, Insurance Commissioner, Superintendent of
3 Public Instruction and all members of the Board of Equalization.
4
5 (3) One member of the House of Representatives from each Section, each of
6 whom shall be selected by the members of the House of Representatives on
7 This Committee;
8
9 (4) One member of the State Assembly from each Section; each of whom shall
10 be selected by the members of the Assembly on This Committee;
11
12 (5) One member of the State Senate from each Section, each of whom shall be
13 selected by the members of the State Senate on This Committee;
14
15 b. County Committee representatives elected as follows:
16
17 (1) One County Committee representative shall be elected for each 100,000
18 registered Democrats or portion thereof resident in the county.
19
20 (2) County Committee representatives to the Executive Board shall be elected by
21 their respective County Committees at their first regular meeting following
22 This Committee's state convention in an odd-numbered year. Only
23 Democratic State Central Committee Members who hold their membership
24 by virtue of Article II, Section 4 shall be eligible for such election.
25
26 (3) County Committee representatives shall be divided as equally as possible
27 between men and women.
28
29 c. All Assembly District Representatives.
30
31 d. All National Committee Members of the Party.
32
33 e. All officers and immediate past officers of This Committee.
34
35 f. The President of the California Democratic Council and of the California Young
36 Democrats.
37
38 g. The chair or co-chairs of each Standing Committee of This Committee.
39
40 h. The Chair of each caucus officially recognized by This Committee pursuant to
41 Article IV, Section 10 of these By-Laws.
42

43 **Section 3. EXECUTIVE BOARD ORGANIZATION**
44

45 The State Chair shall be the Chair of the Executive Board, and the State Secretary shall be
46 the Secretary of the Executive Board.
47

1 **Section 4. EXECUTIVE BOARD MEETINGS**

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- a. The Executive Board shall convene in regular meetings at least three times in each calendar year. Such regular meetings shall be held at such time and place as the Executive Board may designate so long as no two consecutive meetings are held in the same Section.

- b. The Executive Board may convene in special meetings in the following manner:
 - (1) At the call of the State Chair and at such time and in such place as he or she may designate; or,
 - (2) Upon written request, designating the time and place of such special meeting, submitted to the State Chair signed by fifty (50) or more members of the Executive Board.

- c. Notice of the regular and special meetings shall be given by the Secretary. The Secretary shall mail notices to each member of the Executive Board at least ten days prior to the meeting. If, upon good cause, the time is shortened, notice must be given at least three days prior to the meeting.

Section 5. EXECUTIVE BOARD VOTING

- a. Members of the Executive Board may vote in person or by proxy. 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 his/her 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 his or her 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 his or her proxyholder only a person who is a member of the same Assembly District Committee.

- 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.

Section 6. EXECUTIVE BOARD QUORUM

One hundred (100) members of the Executive Board shall constitute a quorum for the transaction of business.

1 **Section 7. EXECUTIVE BOARD RESOLUTIONS**

2
3 Submission of resolutions to the Executive Board shall be in accordance with the following
4 procedures:

- 5
6 a. Resolutions must be received ten (10) calendar days prior to a meeting of the
7 Executive Board by the State Chair of the Party, except as provided for in
8 subdivision (d) below.
9
10 b. All resolutions must be signed by the author and sponsored by a member of This
11 Committee.
12
13 c. Copies of resolutions submitted according to the above procedures shall be mailed by
14 the State Chair to all members of the Resolutions Committee prior to an Executive
15 Board meeting.
16
17 d. All resolutions must be presented for consideration at the Resolutions Committee
18 meeting preceding the Executive Board general session. Twenty-five (25) copies of
19 any late resolutions must be delivered by the sponsor(s) of the resolution to one of
20 the Co-Chairs of the Resolutions Committee. In order to be considered by the
21 Executive Board, a timely resolution must be approved by the Resolutions
22 Committee and a late resolution must have the unanimous consent of the Resolutions
23 Committee members present to be considered for approval. Any resolution heard by
24 the Committee failing to obtain approval may be considered by the Executive Board
25 with the signatures of one hundred thirty-five (135) credentialed Executive Board
26 members or forty percent (40%) of the entire Executive Board, whichever is fewer.
27 The signatures must be turned in by 9:00 a.m. on the morning of the general session
28 to Party Officers, Resolutions Co-Chairs or staff.
29
30 e. If the resolution is presented from the floor, the sponsor(s) must submit to the
31 Secretary sufficient copies for each member of the Executive Board present.
32
33

34 **ARTICLE VIII**

36 **ENDORSEMENT OF CANDIDATES FOR PARTISAN AND NONPARTISAN OFFICE,**
37 **AND ENDORSEMENT AND OPPOSITION TO STATE BALLOT PROPOSITIONS,**
38 **INITIATIVES, REFERENDUM, AND RECALL**

40 **Section 1. PRESIDENT OF THE UNITED STATES**

- 41
42 a. The State Central Committee of the California Democratic Party, Democratic County
43 Central Committees, and all official units of the California Democratic Party shall
44 not endorse any candidate for delegate to the Democratic National Convention and
45 shall not endorse candidates for President of the United States until the Democratic
46 National Convention has been held.
47
48 b. Individual members of the organizational units identified in subsection (a) of this
49 section are in no way precluded from endorsing delegates to the Democratic National
50 Convention nor a candidate for the Democratic Presidential nomination. The Party

1 office of members making such an endorsement may be indicated in that
2 endorsement for identification purposes only.

3
4 **Section 2. PARTISAN PUBLIC OFFICES OTHER THAN PRESIDENT**

- 5
6 a. Endorsement of candidates for the Democratic nomination to any partisan office
7 other than President shall take place during a duly noticed "endorsing convention" of
8 This Committee held after the closing date for filing
9 declarations-of-intent-of-candidacy for the offices to be voted upon. (See subsection
10 (e) below for an exception to this provision.)
11
- 12 b. This Committee shall make every reasonable effort to assure that with respect to each
13 and every office embraced by the provisions of subsection (a) above there shall be at
14 least one candidate who has filed, who wishes the Party's endorsement, and who is
15 worthy of consideration for that endorsement.
16
- 17 c. Endorsing caucuses of This Committee shall be comprised of all members of This
18 Committee resident in the relevant district. Endorsement in any given primary race
19 shall be chaired by persons designated by the Chair of This Committee. The Chair of
20 This Committee may also appoint a Parliamentarian who is a member of either the
21 Rules or Credentials Committee of This Committee, and a Secretary for each
22 Endorsing Caucus.
23
- 24 (1) Endorsing caucuses shall be held at places and times during the endorsing
25 convention which are designated by the Chair of This Committee consistent
26 with achieving an orderly, convenient and fair process.
27
- 28 (2) Each candidate entered in a forthcoming Democratic primary, in which a
29 candidate received over fifty percent (50%) of the vote at the pre-endorsing
30 conference, and who is subject to the provisions of this section may request
31 to be considered for the Democratic Party endorsement, and may request to
32 appear before the relevant endorsing caucus.
33
- 34 (3) Each candidate seeking the endorsement of the California Democratic Party
35 shall submit to This Committee a nonreimbursable filing fee in advance of
36 the first level of the process in which his/her name is considered. The filing
37 fee shall be \$100 in the case of statewide public offices and \$50 in all other
38 cases.
39
- 40 (4) Fifty percent plus one of the credentialed members of an endorsing caucus
41 shall constitute a quorum.
42
- 43 (5) Voting at all the endorsing caucuses shall be by a roll call vote.
44
- 45 (6) Members of an endorsing caucus shall be presented with a "no endorsement"
46 option on all endorsement votes.
47
- 48 (7) No endorsing caucus may endorse more candidates than there are seats for
49 the office in question.

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(8) Endorsement of an incumbent candidate seeking reelection shall require a vote of simple majority of the caucus members present and voting. Endorsement of all non-incumbent candidates shall require sixty percent (60%) of those caucus members present and voting. In the event This Committee fails to endorse on the first ballot, no further votes shall be taken and the position of This Committee in that race shall be “NO CONSENSUS.”

d. Decisions of endorsing caucuses and the recommendations of pre-endorsing conferences which appear on the consent calendar as provided under Article VIII, Section 2i(12), shall be subject to ratification by the full membership of This Committee at a time certain noticed in the printed convention agenda, except with respect to candidates for statewide public office.

(1) In the case of a statewide public office, This Committee's ratification of the endorsing caucus' decision shall be assumed, since the endorsing caucus is comprised of all members of This Committee. The office of State Board of Equalization shall be considered as a statewide office and shall be voted upon by all members of This Committee.

(2) Ratification of endorsing caucus decisions on which no objection has been filed under the provisions of (3) below may be achieved by a vote of acclamation which embraces as many such decisions as deemed appropriate by the Chair of This Committee.

(3) Formal objection to the ratification of an endorsing caucus decision may only be made after the recommendation of the Endorsing Caucus has been made, and must be signed by at least 300 credentialed members of This committee on a form prescribed by the Secretary issued after the decision of the Endorsing Caucus has been made and filed with the State Chair no later than 11:00 p.m. the evening before the period set aside for ratification votes. In the event a formal objection is filed, each candidate shall be entitled to designate one observer who may be present during the signature verification process.

(4) Consideration by This Committee of endorsing caucus decisions to which objection has been filed under (3) above shall occur prior to voting on the ratification of other caucus decisions and shall include the presentation of arguments for and against ratification.

(5) In the event fifty percent plus one of the members of This Committee present and voting fail to vote to ratify an endorsing caucus decision to which formal objection has been filed, the endorsing caucus decision shall be considered "vacated".

(6) The California Democratic Party shall be considered to have made "no endorsement" where a caucus decision has been vacated unless the members of This Committee decide to endorse a substitute candidate.

- 1 (a) Substitute candidates may be nominated from the floor immediately
2 following the vacating of the relevant endorsing caucus.
3
4 (b) Substitute candidates must have been considered for endorsement by
5 the relevant endorsing caucus.
6
7 (c) To become the endorsed candidate of the California Democratic
8 Party, a substitute candidate must receive seventy-five percent (75%)
9 of the vote of the members of This Committee present and voting.
10
11 e. Special Elections:
12
13 (1) In the case of a special election where an endorsement cannot be made at the
14 biennial endorsing convention of the California Democratic Party, the Chair
15 of This Committee shall cause to be convened an endorsing caucus of the
16 members of This Committee resident in the relevant district and shall appoint
17 a Special Elections Appeals Committee not less than one (1) or more than
18 fourteen (14) days after the close of candidate filing. The endorsing caucus
19 shall be comprised of all members of This Committee resident in the district
20 at the end of candidate filing. Such caucus shall otherwise proceed in
21 accordance with the relevant procedures provided for in subsection (c) above
22 and its decision shall become the endorsement of This Committee unless,
23 within five (5) days a majority of the statewide officers of This Committee or
24 five (5) members of This Committee resident in the district object in writing
25 to the State Chair.
26
27 (2) A Special Elections Appeals Committee will make the final determination at
28 a meeting no later than five (5) days after an objection has been filed. This
29 committee shall be comprised of the statewide officers; the Regional Director
30 of the relevant district, two (2) Executive Board members from each of the
31 following committees: Rules, Credentials and Candidate Recruitment and
32 Development.
33
34 (3) The Special Elections Appeals Committee shall allow persons in
35 teleconference meetings to constitute a quorum for any action.
36
37 f. Only Democratic candidates for nomination to partisan public office who have been
38 endorsed in accordance with the foregoing provisions shall be deemed official
39 candidates of the California Democratic Party and be entitled to the privileges and
40 benefits associated therewith.
41
42 g. To assure the effectiveness of the Democratic Party's endorsing process, This
43 Committee:
44
45 (1) hopes and expects that all of its members will make every reasonable effort
46 to recruit and encourage persons of the highest quality to seek the Party's
47 nomination and endorsement in races for partisan public office;
48
49 (2) hopes and expects that all of its members will make every reasonable effort

1 to see that endorsed candidates receive the Party's nomination and, in due
2 course, are victorious in the general election;

3
4 (3) hopes and expects that all of its members will make every reasonable effort
5 to see that those aspirants for the Party's endorsement who fail to receive that
6 endorsement withdraw as candidates in the Democratic primary and
7 encourage a unified effort on behalf of the endorsed candidates; and

8
9 (4) intends to protect the integrity of its endorsing power by precluding --
10 including through the use of legal process -- other entities from representing
11 themselves as purveyors of an official Democratic Party endorsement.

12
13 h. To assure the effectiveness of the Democratic Party's endorsing process, This
14 Committee is committed to the principle that the Democratic Party as an organization
15 shall speak with one voice with respect to the endorsement of candidates for
16 nomination to partisan public office. It is also committed to the principle that This
17 Committee shall be broadly and fairly representative of the various components of
18 the Party.

19
20 Any official unit of the California Democratic Party or any County Central
21 Committee which renders an independent, unauthorized endorsement of a candidate
22 for partisan public office shall forfeit its right to representation on This Committee
23 and the privileges and benefits which may be attached thereto for a period of 12
24 months from the time it renders such an endorsement, or the remainder of the term of
25 the current State Central Committee, whichever is longer.

26
27 i. "Pre-endorsing Conferences" shall be held at the regional level prior to the State
28 endorsing convention.

29
30 (1) The time and place of each pre-endorsing conference shall be determined by
31 the State Chair in consultation with the Party's Regional Directors and shall
32 be set on a date after the closing of the filing of the declaration of candidacy.

33
34 (2) Absentee ballot voting shall be allowed for each office to be voted upon at
35 the pre-endorsing conference provided that a minimum of five (5) delegates
36 eligible to vote for that office are present to constitute a quorum. In the
37 absence of such quorum no recommendation for endorsement shall take
38 place. The ballot shall consist of a written, signed statement from the eligible
39 voter and shall be recorded as part of the roll call vote if received by the
40 designated Regional Director prior to the beginning of the roll call vote in the
41 designated district. In the event that any Senate District or Congressional
42 District falls into more than one Region, the State Chair shall assign those
43 districts to a single regional pre-endorsement conference for the purposes of
44 making the recommendation set forth in this section, due consideration being
45 given to conflicting conference dates so as to allow for full participation.

46
47 (3) The State Chair shall be responsible for providing each voting participant
48 with notification of the time and place of the relevant pre-endorsing
49 conference. Regional Directors shall be responsible, upon the advice and

1 assistance of the State Chair, for generally publicizing pre-endorsement
2 conferences.

3
4 (4) Each pre-endorsing conference shall be convened by the relevant Regional
5 Director or, in the event that there is no Regional Director available for this
6 purpose or the Regional Director is a candidate for nomination to a partisan
7 public office, by a person designated by the State Chair. The State Chair
8 shall designate a Chair and a Secretary for each Regional pre-endorsing
9 conference.

10
11 (5) Voting participants at each pre-endorsing conference shall be:

12
13 (a) All members of This Committee resident in the district;

14
15 (b) All regular County Committee members resident in the district;

16
17 (c) The designated Assembly District representatives from chartered
18 clubs and organizations. These A.D. representatives may vote only in
19 the districts in which they reside.

20
21 (6) No proxy voting shall be allowed at pre-endorsing conferences. In order to
22 effectuate notice to all potential voters, and to determine and certify
23 eligibility to vote, it shall be the responsibility of each Regional Director,
24 with the assistance of the relevant County Committee Chair(s) and Assembly
25 District Committee Chair(s) to identify by name all persons who will be
26 eligible voters at his/her regional pre-endorsing conference and to transmit
27 the names of all such voters to the State Chair, along with the Assembly
28 District, Senate District and Congressional District in which each resides no
29 later than the December 1 before the pre-endorsing conference. A roster of
30 the certified eligible voters shall be maintained by that Regional Director and
31 shall be provided to the Chair of This Committee and to each candidate who
32 has requested consideration. In order to be a voting member of a pre-
33 endorsing conference, an individual's membership must have been certified
34 as indicated herein and his/her name must appear, or have had the right to
35 appear, on the certified roster submitted by to December 1.

36
37 (7) Each candidate for the Democratic nomination to a partisan, non-statewide
38 public office whose jurisdiction extends into, or is included in a given
39 Region, shall be permitted to address the relevant pre-endorsing conference
40 or to designate a representative to address said conference.

41
42 (8) Any voting participant may offer for conference consideration the name of a
43 candidate for the Democratic nomination to a partisan, non-statewide public
44 office whose jurisdiction extends into, or is included within the given Region,
45 except as provided in Section 2i(2) above.

46
47 (9) Once the names of candidates for a given office have been thus offered, a
48 single roll call vote shall be taken as to the preferences of the eligible voting
49 participants. In the event that an incumbent is the only candidate seeking the

1 endorsement of This Committee a signed ballot may be substituted for a roll
2 call vote, unless there is objection. A "no preference" option shall be
3 available at the time of each vote.
4

5 (10) Eligibility to vote with respect to a given office shall be limited to those
6 conference participants resident in the election district in question.
7

8 (11) The Chair of the pre-endorsing conference is responsible for transmitting to
9 the State Chair, in writing, the results of all votes taken within three days of
10 the pre-endorsing conference.
11

12 (12) A candidate's name may be placed on the consent calendar of This
13 Committee's endorsing convention upon receiving a seventy percent (70%)
14 vote at a pre-endorsing conference. The consent calendar shall be approved
15 by a simple majority vote of This Committee. Upon approval of the consent
16 calendar the candidate shall become the endorsed candidate of the
17 Democratic Party. A name may be removed from the consent calendar by
18 any five (5) members of This Committee resident in the District in question
19 or by 300 members of This Committee by filing a letter of objection with the
20 State Chair no later than ten (10) days prior to the State Endorsing
21 Convention. If a name is removed from the consent calendar, the By-Laws
22 of This Committee regarding endorsements shall apply.
23

24 j. Only those voters registered as Democrats may vote in the Democratic Party
25 Primary. All winners of the Democratic primaries will be deemed to be the nominee
26 of the Democratic Party and the endorsed candidates of This Committee. In the
27 event that seventy-five percent (75%) of the Executive Board of This Committee,
28 present and voting, objects to the endorsement of the nominee of the Party, the
29 nominee shall not be the endorsed candidate of the Democratic Party.
30

31 k. The only form of endorsement of a candidate for partisan public office is an "official
32 endorsement" as provided for under these By-Laws. Unless a candidate has received
33 an "official endorsement" all motions of support, recommendation, or other
34 expressions of approval, no matter how denominated, shall be out of order at any
35 meeting of This Committee, its Executive Board, its Regions, its Assembly District
36 Committees or its Caucuses.
37

38 l. This Committee shall not endorse candidates for County Central Committee.
39

40 m. This Committee shall not endorse in partisan primary races in districts subject to
41 reapportionment unless reapportionment has been implemented within ninety (90)
42 days of a duly noticed "endorsing convention" of This Committee.
43

44 n. In the event a duly noticed "endorsing convention" is not scheduled at least forty-
45 nine (49) days prior to the partisan primary:
46

47 (1) Pre-endorsing conferences may place on a consent calendar of the Executive
48 Board of This Committee
49

- 1 (a) by a majority vote of those present and voting, the name of an
2 incumbent Democratic Party Candidate for partisan public office, or
3
4 (b) by a sixty (60) percent vote of those present and voting, the name of a
5 non-incumbent Democratic Party candidate for partisan public office.
6

7 Such consent calendar shall be voted upon by the Executive Board of This
8 Committee in a single motion which may be approved by a majority vote of
9 those present and voting.

- 10
11 (2) The name of any candidate may be removed from the consent calendar by a
12 majority of the members of the Executive Board resident in the district
13 involved, or by any thirty (30) members of the Executive Board, by filing a
14 letter of objection with the State Chair no later than ten (10) days before the
15 Executive Board meeting at which the consent calendar is to be considered.
16
17 (3) For each name removed from the consent calendar, a separate vote shall be
18 taken by the Executive Board, which may, by a majority vote of those
19 present and voting, ratify the pre-endorsing conference recommendation for
20 endorsement.
21

22 In the event of ratification, the recommendation shall become the endorsement of
23 This Committee. Failure to ratify a recommendation shall result in no endorsement
24 in that race.
25

26 **Section 3. NONPARTISAN OFFICES**

- 27
28 a. Endorsement of candidates for all local nonpartisan offices (defined here as all
29 nonpartisan offices whose jurisdictions do not extend across county lines) shall be
30 the exclusive responsibility of the relevant Democratic County Central Committee.
31
32 b. A Democratic candidate for nonpartisan office who has been endorsed by his/her
33 County Central Committee shall also be considered to be the endorsed candidate of
34 the California Democratic Party and shall be entitled to such privileges and benefits
35 as may be attached thereto (e.g., an opportunity, where appropriate, to include his/her
36 name in informational material distributed with the California Democratic Party's
37 mailing permit) provided that: (1) The endorsing provisions of the relevant County
38 Central Committee by-laws have been reviewed and approved by This Committee as
39 consistent with its own By-Laws and with the fundamental rules of fairness to which
40 the California Democratic Party is committed; and (2) A Democratic candidate who
41 has been denied endorsement does not successfully argue before This Committee
42 that there has been a significant violation of the endorsing provisions of the relevant
43 County Central Committee when it rendered its endorsement. Any claim of by-laws
44 violation must be filed with the State Party Chair within five (5) days of County
45 Committee endorsement. A 2/3 vote shall be necessary to uphold the violation
46 claim.
47
48 c. In order for the endorsement of the County Central Committees to become the
49 official endorsements of the California Democratic Party, the following must be met:

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- (1) A Democratic County Central Committee endorsement shall be extended only to registered Democrats.
 - (2) Endorsement shall not be given to more candidates than there are seats open for the office in question.
 - (3) All endorsements shall be made in accordance with the Committee By-Laws provisions duly adopted at least six months prior to making such an endorsement.
 - (4) No vote on endorsement shall be taken by secret ballot.
- d. A County Central Committee's by-laws may provide that the Committee shall not endorse candidates for any or all offices embraced by subsection (a) above, and/or may provide for a "No Endorsement" decision with respect to any or all such offices.
 - e. A County Central Committee's by-laws may provide that voting rights with respect to its endorsements shall extend to Associate/Alternate Members and/or to all members of This Committee resident in the county.
 - f. This Committee shall be responsible for endorsing candidates in any race for nonpartisan office not identified in subsection a. above. In the event an endorsed candidate of This Committee for any such race is not in any runoff which may occur, the Executive Board of This Committee, at its next regularly scheduled meeting after the Primary Election, may endorse any registered Democrat by a sixty percent (60%) vote of those present and voting. In the case of nonpartisan offices which are not statewide but embrace all or part of two or more counties, This Committee shall delegate its endorsing power to a specially organized body including Democratic County Central Committee members resident in the election district. It shall be the responsibility of the State Chair, in consultation with the relevant County Committee Chairs to determine the manner in which that delegated power is to be implemented (e.g., to determine the voting rights of Associate members of the relevant County Committees, whether and how endorsing votes may be weighted to take into account the distribution of the district population among the affected counties, etc.
 - g. To the extent permissible, the position of a Democratic County Central Committee on a local proposition being put before the voters within its jurisdiction may be communicated in informational material distributed with the California Democratic Party's mailing permit so long as the following conditions obtain:
 - (1) the County Committee position has been duly adopted in accordance with the Committee by-laws reviewed and approved by This Committee;
 - (2) the material does not express the endorsement of a candidate for local nonpartisan office who is not also an endorsed candidate of the California Democratic Party under subsection (b) above;
 - h. The County Committee position shall be the position of This Committee unless an

1 objection is filed with the State Party Chair which: (a) is signed by at least one-half
2 of the members of This Committee resident in the relevant county, and (b) is
3 submitted within five days of the adoption of the County Central Committee
4 position.
5

6 i. The provisions of this section (with the exception of subsections g(1), g(2) and h
7 above) shall become effective if and when Party endorsements in nonpartisan office
8 races become legally permissible.
9

10 j. This Committee hopes and expects that every County Central Committee shall make
11 every reasonable effort:

12
13 (1) to see that at least one qualified, registered Democrat is a candidate for each
14 local nonpartisan office within its endorsing jurisdiction;

15
16 (2) to raise funds sufficient to provide significant support to endorsed candidates
17 needing and wishing support;
18

19 (3) to persuade Democrats running against endorsed candidates to withdraw
20 from their races and to extend their support to those carrying the
21 endorsement;

22
23 (4) to protect the integrity of its endorsement power by precluding -- including
24 through the use of legal process -- other entries from representing
25 themselves as purveyors of an official Democratic Party endorsement.
26

27 **Section 4. STATE BALLOT PROPOSITIONS**
28

29 a. Resolutions to endorse or oppose any state ballot proposition, initiative, or
30 referendum and resolutions to support or remain neutral in a recall election, shall
31 require sixty percent (60%) majority for approval by the Executive Board.
32

33 b. The vote on such resolutions concerning state ballot propositions, initiative, or
34 referendum and resolutions to support or remain neutral in a recall election shall be
35 taken up at the regularly scheduled meeting of This Committee or its Executive
36 Board immediately preceding the recall or statewide election involved.
37

38 c. This Committee shall oppose the recall of any public office member registered as a
39 Democrat mentioned in Article II, Section 2 of these By-Laws unless, within ten (10)
40 days from the date of qualification of the recall petition, a resolution is presented to
41 the Secretary of This Committee proposing that This Committee either support or
42 remain neutral on the recall signed by either:
43

44 (1) a majority of the members of This Committee resident in the district effected,
45 or,
46

47 (2) a majority of the State Officers of This Committee.
48

49 d. In the event such a resolution proposing that This Committee either support or

1 remain neutral on a recall petition of any public office member registered as a
2 Democrat mentioned in Article II, Section 2 of these By-Laws is presented to the
3 Secretary of This Committee, and no meeting of This Committee or its Executive
4 Board is scheduled within thirty (30) days prior to the recall election, the Chair of
5 This Committee shall call a special meeting of the Executive Board of This
6 Committee no later than thirty (30) days prior to the recall election to consider the
7 resolution. Failure to adopt the proposed resolution shall result in opposition to the
8 recall.
9

10
11 **ARTICLE IX**

13 **ELECTION OF DEMOCRATIC NATIONAL COMMITTEE MEMBERS**

14
15 **Section 1. ELECTION BY EXECUTIVE BOARD**

16
17 The members of the California Delegation to the Democratic National Committee shall be
18 elected by the Executive Board of This Committee.
19

20 **Section 2. NOTICE**

21
22 Notice of such election shall be given to all members of This Committee at least thirty days
23 prior to the meeting at which the election is to take place and as provided in Article X of the
24 By-Laws and Rules of the California Democratic Party.
25

26 **Section 3. NUMBER**

27
28 The number of members elected shall correspond to the number of votes apportioned to
29 California by the Democratic National Committee.
30

31 **Section 4. ELIGIBILITY AND NOMINATION**

32
33 The name of any individual registered to vote as a Democrat in the State of California may
34 be placed in nomination by a member of the Executive Board. One-half (1/2) of the
35 delegation shall be male and one-half (1/2) shall be female, unless an odd number of
36 members is to be elected, in which case a variation of one shall be permitted. In the event of
37 a tie vote, the winner shall be determined by lot.
38

39 **Section 5. DETERMINING ELECTION**

40
41 Except as may be required by Section 4 above, the candidate(s) with the most votes shall be
42 elected.
43

44 **Section 6. VACANCIES**

45
46 Vacancies in the delegation shall be filled in the same manner as specified herein above.
47 Only persons of the same sex as the person whose vacancy is being filled may be a candidate
48 for membership of the Democratic National Committee. In the filling of vacancies, it is the
49 intent of these By-Laws to maintain equal division of the delegation between males &
50 females except as allowed by Section 4 above.

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Section 7. TERM OF OFFICE

The term of office of a member of the Democratic National Committee shall be four (4) years. Persons elected to fill a vacancy shall complete the term of the person whose vacancy has been filled.

ARTICLE X

GENERAL POLICIES

Section 1.

All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 2.

No test for membership in, nor any oaths of loyalty to, the Democratic Party shall be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination on the grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 3.

The time, place and agendas of all public meetings of the Democratic Party on all levels shall be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.

Section 4.

The Democratic Party, on all levels, should support the broadest possible registration without discrimination on grounds of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 5.

The Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party Officers and representatives on all levels.

1 **Section 6.**

2

3 Publication of these procedures shall be done in such fashion that all prospective and current
4 members of the State Democratic Party will be fully and adequately informed of the
5 pertinent procedures in time to participate in each selection procedure at all levels of the
6 Democratic Party Organization.

7

8 **Section 7.**

9

10 The Democratic Party shall publicize fully and in such a manner as to assure notice to all
11 interested parties a complete description of the legal and practical qualifications of all
12 officers and representatives of the State Democratic Party. Such publication shall be done in
13 timely fashion so that all prospective candidates or applicants for any elected or appointed
14 position within the State Democratic Party will have full and adequate opportunity to
15 compete for office.

16

17 **Section 8.**

18

19 No person shall be entitled to vote for a Democratic candidate at a partisan primary election
20 unless he or she is: 1) a registered Democrat, or 2) registered as a Decline-to-State who
21 requests a Democratic ballot, and is recorded as having done so.

22

23 **Section 9.**

24

25 a. The Democratic Party is committed to:

26

27 (1) the preservation of the right of the voter to a secret, secure, and counted
28 ballot at the first determining step of the delegate selection process and the
29 first level of participation at which an individual Democrat expresses
30 his/her personal and individual preference, and

31

32 (2) the voter's right to know how his/her representatives have voted.

33

34 b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994:

35

36 (1) voters at the first determining step of the delegate selection process and
37 first level of participation shall have an absolute right to a secret ballot
38 which is secure and counted when he/she is expressing his/her own
39 personal and individual preference, and

40

41 (2) no vote by secret ballot may be taken at any meeting of any official
42 Democratic Party body beyond the first determining step at which an
43 individual Democrat expresses his/her personal and individual preference
44 on an action that constitutes part of the delegate selection process for the
45 Democratic National Convention.

46

47 c. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the
48 United States of America, which prohibits secret ballots as an infringement of the
49 voter's right to know how their representatives have voted, except as noted herein
50 above, no vote by secret ballot shall be taken at any meeting of the California

1 Democratic Party, its Assembly District Committees, or its Caucuses.

- 2
- 3 d. Any person who has been determined to have been elected on a secret ballot after
4 12/31/01, beyond the first determining step in the delegate selection process, or
5 first level of participation in violation of these rules, shall be denied credentials
6 by the Credentials Committee of This Committee and shall not be recognized or
7 seated by This Committee at any meeting of This Committee, its Executive
8 Board, its Assembly District Committees, or its Caucuses.”
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11 **ARTICLE XI**

12 **COMPLIANCE REVIEW COMMISSION**

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15 **Section 1. COMPOSITION AND QUORUM**

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17 The Compliance Review Commission shall be composed of three (3) members of the
18 Standing Committee on Credentials and three (3) members of the Standing Committee on
19 Rules, as designated by the Chair of This Committee. A quorum shall be a majority of those
20 persons.

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22 **Section 2. JURISDICTION**

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24 a. The Compliance Review Commission shall have initial jurisdiction over all
25 challenges and/or appeals arising under Article II (Membership); Article VI
26 (Assembly Districts and Assembly District Committees); Article VII (Executive
27 Board), Article VIII (Endorsements, etc.) and Article X (General Policies). The
28 Compliance Review Commission shall have jurisdiction to hear and decide any
29 challenge that is initiated before the 42nd day prior to any meeting of This
30 Committee or its Executive Board.

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32 b. Challenges to the credentials of members initiated after the 42nd day prior to any
33 meeting of This Committee or its Executive Board shall be processed by the
34 Credentials Committee.

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36 c. All other challenges initiated after the 42nd day prior to any meeting of This
37 Committee or its Executive Board may either be heard and decided by the
38 Compliance Review Commission or referred to either the Standing Committee on
39 Credentials or the Standing Committee on Rules in the discretion of the Compliance
40 Review Commission.

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42 d. Challenges arising under Article VIII shall only be heard by the Compliance Review
43 Commission if the challenge was made when the plenary session of This Committee
44 was not in session.

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46 **Section 3. STANDING**

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48 Any party to a challenge must be adversely affected to bring the challenge.

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1 **Section 4. CHALLENGES**

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All challenges must be commenced by the filing of a written challenge with the Secretary of This Committee, with copies served on the Chair of This Committee, as well as the appointing person, and the chair of the relevant organization, where applicable no later than seven (7) calendar days after the alleged violation occurred. Upon a showing of good cause, sustained by unanimous vote, the Compliance Review Commission may waive this requirement.

10 **Section 6. POWERS**

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The Compliance Review Commission shall have the power and authority to take such actions as are necessary to provide a fair and just remedy including, but not limited to, the holding of new elections.

16 **Section 7. APPEAL**

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- a. All appeals must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. All responses shall be filed with the Secretary of This Committee with copies to the Chair of This Committee, the members of the Compliance Review Commission and the appellants, within 12 days of receipt of the appeal by the Secretary of This Committee.
- b. The filing of an appeal shall not stay any decision of the Compliance Review Commission.
- c. With respect to challenges to the credentials of a member of This Committee or its Executive Board, appeal of an order of the Compliance Review Commission shall be to the Credentials Committee of This Committee.
- d. Appeals of all orders not affecting the credentials of a member of This Committee or its Executive Board shall be to the Rules Committee of This Committee.

38 **ARTICLE XII**

40 **AMENDMENT OF THE BY-LAWS**

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42 **Section 1. AMENDMENT**

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These By-Laws may be amended at any meeting of This Committee or by the Executive Board, provided that the Executive Board amends these By-Laws in the following manner:

- a. The amendment must be submitted to the Rules Committee and filed with the Secretary at a meeting held no less than thirty days prior to the meeting at which the amendment is to be voted on.

- 1 b. A copy of the amendment shall be sent with the meeting notice to each member of
2 the Executive Board at least ten days in advance of the meeting at which the
3 amendment is to be voted on.
4
5 c. If the Rules Committee fails to approve a proposed amendment, such amendment
6 may be presented from the floor with the consent of a majority of those present.
7
8 d. These By-Laws shall not be amended by the vote of less than a majority of the total
9 number of members of the Executive Board, or two-thirds (2/3) of those members of
10 the Executive Board present and voting at any meeting thereof, whichever is smaller.

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12 **Section 2. EFFECTIVE DATE**

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14 By-Laws or any amendments thereto shall become effective immediately upon their
15 adoption.