

San Francisco Democratic County Central Committee

455 Golden Gate Avenue
San Francisco, California
Milton Marks Auditorium
Wednesday, January 22, 2014
7:00 p.m.

Regular Meeting Agenda

Note: A majority of the members of the San Francisco Board of Supervisors, and of one or more Board committees, currently serve as members of the San Francisco Democratic County Central Committee (DCCC). The law is not clear as to whether the open meeting requirements of state and local law apply to DCCC meetings attended by these Board members. Out of abundance of caution, the Board members and the DCCC have agreed to comply with these open meeting laws.

1. Call to Order and Roll Call

Chair: Mary Jung. Members: Kat Anderson, John Avalos, David Campos, David Chiu, Malia Cohen, Petra DeJesus, Matt Dorsey, Bevan Dufty, Zoe Dunning, Kelly Dwyer, Bill Fazio, Tom Hsieh, Leslie Katz, Hene Kelly, Meagan Levitan, Rafael Mandelman, Eric Mar, Trevor McNeil, Carole Migden, Leah Pimentel, Alix Rosenthal, Arlo Hale Smith, and Scott Wiener. Ex-Officio Members: U.S. Senator Dianne Feinstein; U.S. House Democratic Leader Nancy Pelosi; U.S. Rep. Jackie Speier; Attorney General Kamala Harris; State Senator Leland Yee; State Senator Mark Leno; Assemblymember Tom Ammiano; Assemblymember Phil Ting.

2. Approval of Meeting Agenda (Discussion and possible action)

Discussion and possible action regarding the approval of this agenda.

3. Approval of Meeting Minutes (Discussion and possible action)

Discussion and possible action to approve the minutes of the DCCC's Regular Meeting of Wednesday, October 23, 2013. (Minutes attached.)

4. Public Comment

The DCCC will take public comment on all items on the agenda and, in addition, other matters germane to party business but not on the agenda.

5. Reports (Discussion and possible action)

DCCC member reports, including discussion and possible action, to offer updates on work assignments and discuss ongoing objectives.

- a) **Chair** (Jung). Report on DCCC activities, including the California Democratic State Convention on March 7-9, 2014 in Los Angeles.
 - b) **Issues** (Rosenthal). Report out from the Issues Committee meeting on resolutions before the SFDCCC.
 - c) **Voter Registration** (McNeil). Report on voter registration efforts.
 - d) **Club Chartering** (Pimentel). Report on club-related activities, and update from the Presidents' Cabinet meeting.
 - e) **Communications** (Dorsey). Report on memos from California Democratic Party regarding DCCC membership elections and updates to county committee bylaws to comport with changes to state law.
 - f) **Finance** (Dunning). Report on progress toward strategic goals and fundraising activities.
 - g) **Treasurer** (Hsieh). Report on the current budget and finances of the party.
 - h) **Executive Director** (Medina). Update on DCCC activities, including the Sue Bierman Memorial Internship Program.
6. **CDP Region 6 Update** (Kelly). Report on activities of the California Democratic Party from Hene Kelly, Director of Region 6.
 7. **Resolution: Crimes Against Children** (Cohen) (Discussion and possible action.) Proposed resolution supporting the expansion of existing state law (which currently applies to children under the age of 14) to children under the age of 18 for purposes of requiring witnesses to report certain violent and sexual crimes against children to peace officers; and assuring the protection of all children under the age of 18 from such crimes.
 8. **Resolution: Protecting Parking Access for People with Disabilities** (Kelly, Dorsey, Mandelman, FDR Democratic Club) (Discussion and possible action.) Proposed resolution opposing the City and County of San Francisco's efforts to amend state law to impose time limits and begin charging disability parking

placard holders to park; and supporting collaborative efforts by local jurisdictions to combat fraud and misuse in the disability parking placards.

9. **Revision to the Policies and Procedures Manual: Slate Card Conflicts of Interest** (Kelly) (Discussion and possible action.) Proposed revision to the S.F. Democratic Party's Policy and Procedure Manual prohibiting members of the SFDCCC with certain financial conflicts of interest from serving on the Slate Card/Bidding Subcommittee, or voting to award certain SFDCCC contracts.

10. **New Business** (Discussion and possible action)

Note that the DCCC is unable to discuss or take action on items not on this agenda when those discussions pertain to matters within the jurisdiction of the San Francisco Board of Supervisors. The limited exception is to discuss and take action in deciding whether to calendar such items for a future meeting.

11. Adjournment

Note: The Issues Committee will meet at 6:15 p.m., immediately prior to the full meeting on January 22, 2014.

Agenda Item Information

For more information concerning agendas, minutes, and meeting information, and materials relating to agenda items: visit the DCCC website at <http://www.sfdemocrats.org>; or email DCCC Correspondence Secretary Matt Dorsey at info@sfdemocrats.org; or write to the San Francisco Democratic County Central Committee at 645 Harrison St., No. 200; San Francisco, CA 94107. Other related materials received by the DCCC after the posting of the agenda are available for public inspection at the meeting time and location listed at the beginning of this agenda.

Meeting Procedures

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair.

Disability Access

The Milton Marks Auditorium and the State Office Building at 455 Golden Gate Avenue in San Francisco are wheelchair accessible. To seek a disability related accommodation to participate in the meeting, please contact DCCC Correspondence Secretary Matt Dorsey at info@sfdemocrats.org; or write to the San Francisco Democratic County Central Committee at 645 Harrison St., No. 200; San Francisco, CA 94107. Requests must be received at least 48 hours before the meeting.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of the California State Building at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfbos.org/sunshine>

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

San Francisco Democratic County Central Committee

455 Golden Gate Avenue
San Francisco, California
Milton Marks Auditorium
Wednesday, October 23, 2013
7:00 p.m.

Minutes of Regular Meeting

Note: A majority of the members of the San Francisco Board of Supervisors, and of one or more Board committees, are members of the San Francisco Democratic County Central Committee (SFDCCC). The law is not clear as to whether the open meeting requirements of state and local law apply to SFDCCC meetings attended by these Board members. Out of abundance of caution, the Board members and the SFDCCC have agreed to comply with these open meeting laws.

1. Call to Order and Roll Call at 7:04 pm

Present:

Members: Kat Anderson, David Chiu, Malia Cohen, Matt Dorsey, Zoe Dunning, Kelly Dwyer, Tom Hsieh, Mary Jung, Hene Kelly, Rafael Mandelman, Alix Rosenthal, Arlo Hale Smith, Scott Wiener

Ex Officio Members: Senator Mark Leno (proxy Keith Baraka), Assemblymember Tom Ammiano (proxy Kim-Shree Maufas), Assemblymember Phil Ting (proxy Alex Walker)

Absent excused: Petra DeJesus, Leslie Katz, Trevor McNeil, Carole Migden, U.S. Senator Dianne Feinstein (proxy George Broder); U.S. Rep. Jackie Speier (proxy Brian Perkins)

Absent: John Avalos, David Campos, Bevan Dufty, Bill Fazio, Meagan Levitan, Eric Mar, Leah Pimentel, U.S. House Democratic Leader Nancy Pelosi, Attorney General Kamala Harris, State Senator Leland Yee

Post-roll call arrivals: Chiu (7:09 pm); Wiener (7:09 pm)

2. Approval of Meeting Agenda

M/S/C (Kelly/Dwyer)

Agenda approved by acclamation.

3. Approval of Meeting Minutes

M/S/C (Smith/Cohen)

Minutes of September 25, 2013 approved by acclamation.

4. Public Comment 7:06 pm

Glenn Rogers of SF Tomorrow asked us to purchase raffle tickets to support the legal campaign to preserve Parkmerced. SF Tomorrow and the Sierra Club are suing the developer. Prizes include Facebook stock, a flat screen TV and a hotel stay.

Cathy Lentz of Parkmerced Action Coalition spoke about the preservation of Parkmerced.

Public comment closed at 7:10 pm.

5. Reports

- a) **Chair** (Jung) – Jung provided a report regarding Slate Card. First wave for AB went out. Remaining 22,000 will go out to Election Day voters. On schedule for receipt no later than Nov. 2.
- b) **Voter Registration** (Jung for McNeil) – Went well at Castro Street Fair and Outside Lands. Sunday Streets this weekend in the Richmond district from 11 am to 4 pm.
- c) **Club Chartering** (Pimentel) – No report as Pimentel is absent.
- d) **Finance** (Dunning) – We will have an event on December 1 at Jane Morrison’s house. Theme is honoring current and former chairs of the DCCC. Proceeds will benefit the Sue Bierman internship program. Please help publicize this. We are looking for 100% financial participation from DCCC members. Plan to attend.
- e) **Treasurer** (Hsieh) – Current balance sheet remains strong. We received income. Expenses are holding steady. We may do a fundraiser in the spring.
- f) **Executive Director** (Medina) – No report as Medina is absent.

6. CDP Region 6 Update (Kelly)

October 26 is the Region 6 meeting from 11 am to 1 pm, in Burlingame at TW505 union hall. There will be a hearing on the platform. The final hearing will be at the Executive Board meeting.

7. Revisions to the Policies and Procedures Manual (Dorsey/Hsieh)

Final revisions to the manual are offered tonight. Re: method of identifying non-Democratic endorsements by chartered clubs. Chartered clubs were contacted with an explanation via email and a personal visit to the Milk Club. There were no questions. Thanks to Dorsey and Hsieh.

M/S/C (Rosenthal/Kelly) by acclamation.

8. New Business

Mandelman received a Yes on B mailer. He considers it misleading because an endorser is “the San Francisco Democratic Club.” Should we consider whether we want to do anything about this?

Kelly pointed out that this is not a chartered club.

Smith pointed out that Agar Jaicks sued over the use of “democratic” and used a lot of resources. There were no results.

Kelly pointed out that there is printed on the DCCC card: "Beware of false slate cards..."

9. **Adjournment**

M/S/C (Kelly/Cohen)

Adjourned at 7:28 pm.

*Respectfully submitted by Kat Anderson
Recording Secretary
Democratic County Central Committee*

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**RESOLUTION OF THE SAN FRANCISCO DEMOCRATIC PARTY
REGARDING THE REPORTING OF CRIMES AGAINST CHILDREN**

WHEREAS, Existing state law mandates that any person who reasonably believes that he or she has observed the commission of a murder, rape, or lewd or lascivious act where the victim is a child under the age of 14 years shall notify a peace officer, but does not mandate that any person who reasonably believes that he or she has observed the commission of a murder, rape, or lewd or lascivious act where the victim is a child over the age of 14 years shall notify a peace officer; and

WHEREAS, Murder, rape, and lewd or lascivious acts are also committed against children over the age of 14 years, and the reporting of murder, rape, and lewd or lascivious acts committed against children over the age of 14 years is just as important as the reporting of murder, rape, and lewd or lascivious acts committed against children under the age of 14 years; and

WHEREAS, The expansion of existing state law to mandate that any person who reasonably believes that he or she has observed the commission of a murder, rape, or lewd or lascivious act where the victim is a child under the age of 18 years shall notify a peace officer would necessarily reduce the incidence of murder, rape, and lewd or lascivious acts committed against all children, including children over the age of 14 years; now therefore

BE IT RESOLVED that the San Francisco Democratic Party calls on Governor Jerry Brown and the California State Legislature to expand existing state law to mandate that any person who reasonably believes that he or she has observed the commission of a murder, rape, or lewd or lascivious act where the victim is a child under the age of 18 years shall notify a peace officer; and

BE IT FURTHER RESOLVED that the San Francisco Democratic Party shall send copies of this resolution to Governor Brown and every member of the California State Legislature to encourage them to expand existing state law, as stated above, so that every child, regardless of age, is protected from murder, rape, and lewd or lascivious acts.

Sponsored by: Malia Cohen

**RESOLUTION OF THE SAN FRANCISCO DEMOCRATIC PARTY
PROTECTING PARKING ACCESS IN CALIFORNIA**

WHEREAS, California has approximately 4.6 million seniors and approximately 1.9 million people with disabilities, many of whom rely upon access provided by a disability parking placard or license plate; and

WHEREAS, the City of San Francisco has recently made it City policy to pursue repeal of portions of California Vehicle Code Section 22511.5, to impose time limits and begin charging disability parking placard holders to park. This action was taken without a public vote of any locally elected official, circumnavigating the democratic process; and

WHEREAS, alternative means of transportation such as mass transit and paratransit are not always viable alternatives for people with disabilities, and imposing additional charges on placard holders will impose an undo financial hardship and drastically inhibit full and equal access to a central government program as guaranteed by the Americans with Disabilities Act; now therefore

BE IT RESOLVED that the San Francisco Democratic Party hereby urges the California State legislature to:

1. Resist any efforts to repeal California Vehicle Code Section 22511.5
2. Demand that any plan proposed by local jurisdictions to combat fraud and misuse in the disability parking placard system be developed in close collaboration with a wide cross section of people with disabilities not affiliated with the government of that jurisdiction and

BE IT FURTHER RESOLVED: that copies of this resolution will be transmitted to all Democratic members of the California State Legislature before the beginning of the next legislative session.

Sponsors: Hene Kelly, Matt Dorsey, Rafael Mandelman and FDR Democratic Club of SF

Proposed Amendment to the Policies and Procedures Manual
BY HENE KELLY

PAGE 7:Policies and Procedures Manual

4. Slate Card Contracting Policy

§10.0 No voting member of the SFDCCC shall be permitted to bid on any contract let by the SFDCCC. In addition, no voting member who currently employs anyone bidding on a contract with the SFDCCC, or who has a business partner, contractor, employee, or relative (including spouses and domestic partners) may serve on the Bidding Subcommittee or may vote on the award of any SFDCCC contract.

No member of the SFDCCC who has any financial business, contract, or promised financial business with (1) candidates or (2) ballot propositions or (3) any independent political committees (or) independent expenditure committees or (4) any organizations issuing slate cards supporting or opposing candidates and/or propositions not endorsed by the SFDCCC or who has a business partner, contractor, employee, or relative (including spouses and domestic partners) with any such financial business, contract, or promised financial business, may serve on the Slate Card/Bidding Subcommittee or may vote on the award of any SFDCCC contract as this shall constitute a conflict of interest.

~~In the event of a conflict of interest involving the Chair, the Treasurer, or the Chair of the Bidding Subcommittee, he/she may designate another voting member of the DCCC who does not have a conflict to serve in his/her place on the Bidding Subcommittee.~~

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NOTE: 1. INTRODUCTION AND AMENDMENT PROCESS

§1.0 The purpose of the San Francisco Democratic Party Policy and Procedure Manual is to provide for greater public accountability by being better able to provide information to people interested in the functioning of the local Party. This Policy and Procedure Manual is produced by the San Francisco Democratic County Central Committee (SFDCCC) and is intended to put into written form the practices and processes of the San Francisco Democratic Party. Clearly defined, written procedures will ease confusion and enhance the cooperation needed for the success of the Party Goals. The Policy and Procedure Manual contains the operating rules (e.g., Special Rules of Order, refer to Robert's Rules of Order Newly Revised) of the San Francisco Democratic Party. The Policy and Procedure Manual is a supplement to and based on the Bylaws of the San Francisco Democratic Party. The Bylaws are the governing document of the local Party. It is most helpful to read each of the two documents in conjunction with the other. A two-thirds vote is required to suspend a Policy. The SFDCCC Office practices shall be maintained in a written Office Manual in the Party Office and copies will be available on request.

§2.0 Policy and Procedure Manual Amendment Process

The Policy and Procedures Manual may be amended at any regularly scheduled meeting of the SFDCCC at which a quorum is present by a majority vote of those present and voting, provided that due notice of such meeting is mailed in conformity with Article IV, Section 4 and shall contain a complete statement of the proposed amendment as well as the section(s) changed, if any.

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MEMORANDUM

To: Democratic County Central Committee (DCCC) Chairs
Cc: CDP State Officers, CDP Rules Committee
Fr: Emma Harper, Membership Services Director
Re: DCCC membership elections and updating your By-Laws

We have received a number of inquiries from DCCCs requesting advice for what steps should be taken to deal with DCCC elections not being conducted by the County Registrar during the Gubernatorial primary years.

SUMMARY

Since County Registrars do not have to conduct elections for DCCCs in Gubernatorial years, each DCCC needs to assess the desire of their membership to choose one of two options.

- 1) **Two-year terms:** Maintain the two-year term of office for members and create or amend if necessary, an internal system to run their elections; or
- 2) **Four-year terms:** Change their By-Laws to extend the terms of office for members from two years to four years.
 - a. **Officer terms:** Can be separate from members and be 2 or 4-year terms.

NEXT STEPS

Two-year terms

- 1) Which method are you using to conduct your elections? County Convention? Regional Caucuses?
- 2) How many seats available?
- 3) Timeline and method of candidate filing?
- 4) Process for deciding winners and methods for challenging the results?
- 5) Publicizing to ensure maximum participation.
- 6) Amending your By-Laws to include all of these changes.

Four-year terms

- 1) Will the length of term for officers change to 4-year terms or stay at 2-year terms?
- 2) Does your vacancy language need updating?
- 3) Amending your By-Laws to reflect the change to 4-year terms of membership.

Please complete this survey on your progress:

<http://fs3.formsite.com/CADEM2011/DCCClengthoftermsurvey/index.html>

We have also provided another memo with background information on this important issue. If you have any questions, please feel free to contact us.

MEMORANDUM

To: Democratic County Central Committee (DCCC) Chairs
Cc: CDP State Officers, CDP Rules Committee
Fr: Emma Harper, Membership Services Director
Re: DCCC membership elections background

BACKGROUND

The 2014 primary ballot will be the first time that the DCCC elections will not occur. After the passage of Prop 14 (the “Top-Two Primary”), other than DCCC elections, there was no other purpose for a partisan ballot in Gubernatorial years, and upon urging from the County Registrars (due to the additional cost), the legislature passed SB 1272 (2012) to eliminate DCCC elections in Gubernatorial years and only conduct them in Presidential years.

As stated in the description for the bill:

This bill would delete the requirement that those members be elected at every statewide direct primary election and instead would permit those members to be elected at every presidential primary election.

This bill would specify that a county central committee of any of those parties, in accordance with specified rules and regulations, may select its members at any time by holding a caucus or convention, or by using any other approved method of selection.

The full text of the bill can be found at:

http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_1251-1300/sb_1272_bill_20120924_chaptered.html

Even before this bill, much of the organization and running of a DCCC relied less on the Elections Code, and more on the Bylaws of the DCCC, thanks to U.S. Supreme Court rulings in a variety of cases, but most specifically *Eu vs the San Francisco County Democratic Central Committee* (489 US 214 in 1989) and in the Court of Appeals, Second District decision in *Wilson v San Luis Obispo County Democratic Central Committee* (175 Cal App. 4th 489 in 2009). Based on these, the Secretary of State’s office created a memorandum to this same effect:

<http://www.sos.ca.gov/elections/ccrov/pdf/2011/december/11138lf.pdf>

CONSIDERATIONS FOR THE DCCC

The question for each DCCC is how they wish to organize, with the constraint of only being able to be on the ballot during Presidential primaries. The two major choices are:

- 1) Extend terms of office for members to be four years or
- 2) Maintain two year terms of office for members, and create an internally run system of elections for the Gubernatorial year, such as a County Convention or County Caucuses.

In either case, the question of the length of membership can be separate than the length of the term of office for the officers of the DCCC. An organization may decide to have four year terms of office for members, but reorganize and elect new officers every two years from those members, or any other combination of terms for membership and terms for officers.

RECOMMENDATIONS ON HOW TO PROCEED

First, after assessing the desire of your individual DCCC, review your Bylaws to achieve the desired organization. When amending your Bylaws,

1. Be sure that you do so in accordance with your current amendment procedures.
2. Keep in consideration the General Policies of the Democratic Party. These General Policies are part of the DNC's Charter and Bylaws, and the CDP has incorporated them as Article XIII of the CDP's By-Laws. A copy of this text can be found at the bottom of this memo. Two primary concerns are that any process be free of discrimination, and be as widely noticed as possible.

This is especially true if your DCCC decides to keep two year terms for membership. The method that your DCCC decides to utilize to conduct your elections next year should be as open and inclusive to your county's Democratic community as possible. In a county that is small geographically or population-wise, a County Convention may be a possible method to elect members. In larger counties, regional caucuses (such as one caucus per Supervisorial or Assembly District) may be a more appropriate means. You will need to create a system that works for your county. This includes specifying how many seats are available, what method and timeline should be used to file for these seats, when the elections will occur for competitive seats and a process for deciding the winners (and method of challenging the results). Other details may be necessary and should be amended into your Bylaws. Once this is done, the information should be spread as widely as possible through your county's Democratic community to ensure the maximum participation possible.

If your county decides to move to four year terms of office, this change would still need to be written into your Bylaws, and you may wish to review and update your procedures for filling vacancies as you may have more under a four year membership than you did with two year memberships.

Separately, your county can decide on the length of term desired for the officers of your organization and again, ensure that this choice is appropriately reflected in your Bylaws.

If you need assistance once your DCCC has made the decisions on how to be organized, we can help connect you to either other DCCC's that have already made the changes in their Bylaws so that you can review their language to potentially use in your Bylaws, or ask members of the CDP Rules Committee to volunteer to assist you in the drafting of your Bylaw amendments.

SEPARATE REMINDERS

As you look to amend your Bylaws, please be careful of three things:

- 1) Reference to Elections Code. In light of the Eu and Wilson court decisions, tying your By-Laws to the Elections Code is counter-productive and should be avoided.

- 2) Language tying your County Committee to the State Party. Democratic County Central Committees are legally separate entities. This is important to maintain, especially with regard to political reporting. Language suggesting that a DCCC is an arm or an affiliate of the CDP is inaccurate and should be avoided.
- 3) Does your committee rely on “nominee” in your By-Laws (typically in your ex-officio membership section)? If so, you should either modify this section or add an additional section defining “nominee” as Prop 14 eliminated this term. For the State Party, we added the following term as Article I, Section 3b.:
 - “b. All references to “nominee” shall refer to that registered Democrat in a voter-nominated election who received the highest number of votes in the general election. Should there be no registered Democrat among the “top-two” in the general election, “nominee” shall refer to that registered Democrat who received the highest number of votes in the top-two open primary.”

CONCLUSION

If you have not yet undertaken this process to identify the terms of office for membership and officers of your organization, and made these changes into your Bylaws, you should commence on this immediately. Going into 2014, each DCCC should have this task behind them and able to focus on the electoral goals that we all strive for – electing and maintaining Democrats in office at all levels.

California Democratic Party By-Laws

ARTICLE XIII: GENERAL POLICIES

Section 1. PUBLIC MEETINGS

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, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Accordingly, the scheduling of Democratic Party affairs at all levels shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected.

Section 2. TESTS AND OATHS

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, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 3. NOTICE OF AGENDAS AND MEETINGS

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. REGISTRATION

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, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status.

Section 5. FULL PUBLICATION OF SELECTION PROCEDURES

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.

Section 6. TIMELY PUBLICATION OF SELECTION PROCEDURES

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

Section 7. TIMELY PUBLICATION OF SELECTION QUALIFICATIONS

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

Section 8. QUALIFICATIONS FOR RIGHT TO VOTE IN PRIMARY

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

Section 9. SECRET BALLOT AND VOTER'S RIGHT TO KNOW

- a. The Democratic Party is committed to:
 - (1) the preservation of the right of the voter to a secret, secure, and counted ballot at the first determining step of the delegate selection process and the

first level of participation at which an individual Democrat expresses his/her personal and individual preference, and

- (2) the voter's right to know how his/her representatives have voted.
- b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994:
- (1) voters at the first determining step of the delegate selection process and first level of participation shall have an absolute right to a secret ballot which is secure and counted when he/she is expressing his/her own personal and individual preference, and
 - (2) no vote by secret ballot may be taken at any meeting of any official Democratic Party body beyond the first determining step at which an individual Democrat expresses his/her personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.
- c. Based upon Article Nine, Section 12 of the Charter of the Democratic Party of the United States of America, which prohibits secret ballots as an infringement of the voter's right to know how their representatives have voted, except as noted herein above, no vote by secret ballot shall be taken at any meeting of the California Democratic Party, its Assembly District Election Meetings, or its Caucuses.
- d. Any person who has been determined to have been elected on a secret ballot after 12/31/01, beyond the first determining step in the delegate selection process, or first level of participation in violation of these rules, shall be denied credentials by the Credentials Committee of This Committee and shall not be recognized or seated by This Committee at any meeting of This Committee, its Executive Board, its Assembly District Election Meetings, or its Caucuses."

Section 10. E-MAIL NOTICE

- a. Publication of any Democratic Party notice via email will be considered valid if:
- (1) The sender and receiver have both consented, in writing, to sending and receiving notice in this manner,
 - (2) The notice was sent to or from the email address specified when giving consent, or most recent email address specified on a subsequent notice of change of address by sender or receiver, and,
 - (3) The obligation to inform and procedure for informing of any change in email address has been specified in writing.
- b. This Committee hereby consents to receive email notice from any member who consents, in the manner provided below, to receive such notice from This

Committee from an “@cadem.org” or other domain as specified on This Committee’s website, provided:

- (1) The member holds This Committee harmless should the member fail to open, receive, view or read their incoming emails regularly and therefore not receive actual knowledge of the material contained in the email notice in a timely manner,
 - (2) Consent to receive notice from This Committee has been given on forms provided by the Secretary of This Committee,
 - (3) Members of This Committee are given the option, in writing, of maintaining the confidentiality of their email address, or making same public, and,
 - (4) Notice sent by This Committee contains contact information including physical address, and clearly outlines how the receiver can “opt out” of receiving future notices by email and how to submit a change of email address.
- c. Notice to This Committee of change of email address is to be provided to the Secretary of This Committee, in writing.
- d. The filing via email of a challenge, or response to a challenge, under Article XII shall be deemed consent to receive notice of all matters regarding that challenge, including response, as well as any appeal or response thereto, via email and a waiver of any right to maintain the confidentiality of that email address while said challenge is pending final disposition.”