

**Philosophy Behind the Rules
LACDP Bylaws**

**Re: ARTICLE IX. CANDIDATE NOMINATION
AND
ARTICLE X. CANDIDATE ENDORSEMENT**

- I. *Fill Vacancies in Nominations:*** *The Central Committee of the LACDP is the governing body of the Democratic Party at the local level and may fill vacancies in legislative nominations, post primary, upon death of the candidate.*
- II. *Endorsements in Non-Partisan Races:*** *The CDP is responsible for endorsements for partisan office and state-wide nonpartisan office, the County Central Committees are responsible for endorsement of non-partisan office.*
- III. *Different Types of Endorsement Recommendation Committees:*** *Different types of races often require special expertise. Accordingly, a separate interview committee was formed to handle these races. The same kind of questions asked in legislative races, may not be appropriate in judicial races, water board races, City of Los Angeles, County Board or Supervisors, or Ballot Measure races or contests. To that end, different recommendation committees were formed to handle different races or contests.*
- IV. *County, City of LA Races (including educational), and Districts of More than Four Ads:*** *This Committee has made the decision that getting more than four ADs together is impractical and has delegated all races that cover more than four ADs to the Candidate Interview Committee. Obviously this includes County-wide races. Furthermore, it has made the political decision that the outcome of elections for offices for the City of Los Angeles have impact beyond its borders and all members of This Committee should have the right to participate in the endorsement of candidates for these offices. Due to its import, every AD has a right to membership on the Candidate Interview Committee*
- V. *Sixty Percent Required:*** *There should be more than a mere majority supporting an endorsement, so as to guarantee as much support as possible for the endorsed candidate and avoid divisive rifts over an endorsement. Sixty Percent is required (and you round up, not down), but abstentions do not count towards the total.*
- VI. *No “Dual” Endorsements for an Office:*** *The Party should fully back its endorsed candidate and not split its support, nor encourage the splitting of votes, between candidates; accordingly, we do not endorse more candidates for an office than the number to be elected.*
- VII. *No “Extra-Legal” Support:*** *The Party is committed to its process, as set forth in its bylaws, and does not support attempts to circumvent it, or make up a process as it goes along. The LACDP is a Political Party, and as such, only supports its members. This does not, however, prevent us from identifying non-Democrats as such.*
- VIII. *No Secret Ballot; Written Ballots to be Used:*** *All Regular Members represent someone else who elected them. Those voters have a right to know how their representative voted. To that end, pursuant to the DNC Charter and CDP Bylaws there are no secret ballots. Written ballots are to used, unless there are two or fewer candidates being considered and the requirement is waived by the Chair, and the printed name and signature of the member or alternate casting the ballot is required.*
- IX. *NOTICE IS KEY !!!:*** *This Committee is strongly committed to the right of both members and candidates to be given full notice of the date, time, and place of all relevant meetings and the legal and practical procedures for being considered for endorsement. The LACDP supports, and the CDP and DNC rules require, full notice of procedures and to that end, the candidates are to be notified, in writing, of ALL steps*

in the process. To avoid charges of failure to adhere to this rule, a Proof of Service must be signed and maintained.

X. *Openness and Transparency in Recommendations:* *This Committee is committed to openness and transparency in its dealings and does not hide its recommendations from the candidates, diligent attempt at timely notice of the recommendation is required.*

XI. *Conflict of Interest Disqualifications:* *This Committee is committed to avoiding actual conflicts in voting on endorsement recommendations and insuring that the interview process is credible. Accordingly, some members are prohibited from voting in certain circumstances. No member is prohibited from voting on the actual endorsement. The distinction is primarily grounded in the difference in the appearance to the candidate being interviewed, the size of the voting entity, and the fact that all regular members represent various constituencies and not themselves.*

XII. *Effect of Disqualification on Participation and Quorum:* *Although a member who has a conflict may not vote on a recommendation for endorsement, they still have voice and are part of the delegation; however, disqualified members (and disqualified alternates) do NOT count toward any quorum:*

10. Conflict of Interest Provisions:

- a. A member of This Committee may not vote on nor make a motion concerning a recommendation for endorsement of a candidate during proceedings of an Endorsement Recommendation Committee if:
 - 1) the member is a candidate for the public office under consideration; or,
 - 2) the member is a paid employee or independent contractor of the controlled committee of a candidate for the office under consideration; or,
 - 3) the member is an employee who serves or works in paid employment at the pleasure of a person standing for election to the office under consideration; provided, however, that nothing in this rule shall preclude any person serving on a non-salaried basis as an appointee to a public panel, board or commission from voting on such a recommendation for endorsement.
- b. Disqualified members may, however, participate in discussion and debate.

11. Quorum

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b. Effect of Disqualification on Quorum:

1) Endorsement Recommendation Committees Consisting of an Assembly District(s):

In the event a member of an Assembly District Delegation is disqualified from participating in a specific race, that member's alternate may participate and shall be counted for purposes of determining a quorum, unless the alternate is otherwise disqualified. If both the member and alternate are disqualified, neither shall be counted as a member of the delegation for purposes of determining a quorum, for that specific race.

2) Endorsement Recommendation Committees Consisting of a Standing

Committee:

Whenever a member of a Standing Committee considering endorsements is disqualified from voting, that individual shall not be counted as a member of the Standing Committee for purposes of determining a quorum, for that specific race.

- XIII. Quorum; Number Required:** *A quorum has been set as a majority of an Endorsement Recommendation Committee. In the case of an AD, a maximum of 6 is required. The quorum for multiple ADs meeting together is 9, 12, or 15 depending on the number of ADs.*
- XIV. Alternate Participation:** *Alternates are allowed to participate in all committees, but a local delegation rule allowing alternates to participate in local matters does not extend to endorsements due to the fact that not all districts allow alternates to participate in the absence of their Delegate, and therefore it would be unfair when some do and some don't if they are meeting together. Further, endorsements are considered to be an extremely important aspect of the power of This Committee, and the final decision should be made by Regular Members and not alternates. Therefore, alternates may only vote on and endorsement at the local level if the appointing member is not present, or was disqualified.*
- XV. BYLAWS MAY NOT BE SUSPENDED !!!:** *Bylaws are binding and may not be suspended.*
- XVI. Request to Endorse Required to Initiate Process:** *The LACDP will not interject itself in races where there has been no expressed interest by the candidate, nor a member of This Committee, but rather only upon request.*
- XVII. The Chair of This Committee Can Intervene in a Failure to Act:** *This Committee is committed to the concept that action should be timely and further that the failure to act on the part of the AD will not barr This Committee from considering an endorsement. The Candidate Interview Committee may be charged by the chair with acting in such circumstances.*
- XVIII. No Endorsements, or Recommendations, Prior to Close of Filing:** *The Party is committed to an informed process and does not wish to make endorsements rashly without at least knowing who the possible candidates are. Neither endorsements nor recommendations for endorsements may take place prior to the close of filing.*
- XIX. Administrative Fees are Charged to Candidates, but May Be Waived:** *Some of the financial burden of conducting the process should be borne by the candidates, but economic hardship should not prevent participation; however, the candidate must still exhibit some commitment to the Party, in the form of registering voters. To that end a fee, or waiver of the fee by registering voters is required.*
- XX. Use of Standard Questionnaire Required:** *This Committee seeks information to guide its decision making process and has developed a base-line standard candidate questionnaire for use by Endorsement Recommendation Committees.*
- XXI. Coordinators Help Calendar Endorsements; Delegation More than Just Elected Members:** *Due to the significant number of local races in the County, specific individuals are to be appointed to help identify those races and co-ordinate both a calendar and the endorsements in those races. The CDP follows the general principle that those who are resident in a district should have a say in the endorsement in that district. The LACDP does as well; in our case those whose districts overlap a given district are the participants. Furthermore, notice is a critical part of the endorsement process. PLEASE NOTE THAT ALL DELEGATION MEMBERS MEANS ALL, NOT JUST THE SEVEN ELECTED, AND NOT JUST THE REGULAR MEMBERS. The is an open and transparent process.*
- XXII. Recommendations Require 60%; Failure to Recommend Results in No Consensus:** *Recommendations*

must be made by a 60% vote (abstentions NOT counting toward the total) and the options are to endorse a particular candidate or position, take a position of “No Endorsement”, or affirmatively recommend that This Committee take a position of “No Consensus”. Failure to make a recommendation automatically results in a recommendation of “No Consensus” by default. In rare circumstances, an Endorsement Recommendation Committee may also recommend This Committee make a finding that a specific candidate is “Unacceptable”.

- XXIII. Consent Calendar May be Used; Twenty Required to Pull:** Non-controversial Items should be able to be dealt with “en-mass”, but some method of allowing a significant dissident faction to have its voice heard must be provided for. On the assumption that there would be 100 members present at an endorsement vote, one half of the number needed to block an endorsement would be twenty, and thus that number was settled upon as the number needed to pull an item for discussion. On the other side of this issue, leadership should avoid placing known controversial items on the consent calendar, as that avoids its purpose. That is not always an easy decision.
- XXIV. Explanation of Recommendation Required:** The Full Committee is entitled to an explanation for the recommendation, and someone is to be specifically charged with the responsibility for presenting it. It is the Full Committee which has the actual power of endorsement, the ADs only recommend.
- XXV. Three Speakers Pro, Three Speakers Con:** Unless the body extends debate, speakers are limited to three pro and three con, one minute each.
- XXVI. Recommendation Committee’s Motion Given Deference and Disposed of First; No Endorsement Always an Option:** The Recommendation Committee’s motion is the first motion to be voted on. If it fails to prevail, these races are considered too important to simply leave without further consideration. Up to three more votes are conducted, the first listing all candidates names who were entitled to consideration. However, “No Endorsement” is to be an option because the Party should not be forced into an endorsement, and the concerns of those who do not want to endorse are counted towards the total, because an endorsement, which carries resources with it, should demonstrate significant support to avoid being divisive. [NOTE: Under Roberts Rules of Order abstentions are not counted towards the total.] The process must have an end, the body should not vote twice on the same set of candidates, and repeated votes on races where no endorsement is likely should not take up the body’s time. These rules allow for all of those circumstances to be taken into account. If a recommendation from an AD or group of ADs or the Ballot Measure Committee is not adopted, a single ballot with all candidates names on the ballot will be the next item before the body for consideration. If it is a measure, the choices would be Yes, No or No Endorsement.
- XXVII. Failure to Endorse Results in No Consensus:** The failure to endorse automatically results in a position of “No Consensus”.
- XXVIII. No Consensus Need not be Publicized:** A position of “No Consensus”, may not necessarily be listed in any publication.
- XXIX. Challenges, Provisional Voting, and Appeal are Provided For:** Despite the desire to avoid conflicts, and the negative impact of the appearance of a conflict, it is recognized that mistakes do occur, and if a violation of the conflict of interest rules, or other steps in the recommendation or endorsement process, occurs, a method for challenge is provided for. If a member’s right to vote is challenged, and the member does not agree, the member shall be entitled to vote provisionally. An appeals committee is provided for.
- XXX. Endorsement of Non-Democrat Void:** An endorsement of a candidate who was not a registered Democrat as of the time the Endorsement Recommendation Committee first meets, or any time thereafter, is void.
- XXXI. Recall Endorsements Provided For:** Provisions for endorsing in recall elections are provided for.