

REPORT OF RULES & LEGAL COMMITTEE  
OCTOBER 2018

At its October 2, 2018, the Rules & Legal Committee took the following actions.

1. Placed on the agenda for its February 20, 2019, meeting the discussion of Assembly District officer accountability and removal process. Chair Zakson appointed the following subcommittee, which will hold a hearing on this issue on January 23, 2019, at a location to be determined at a later time: Garry S. Shay, Subcommittee Chair, Karen Wingard, Richard Matthews and Miguel Martinez, Members. The Committee Chairs will be ex officio members of this subcommittee.
2. Placed on the agenda for the second meeting in 2019, endorsement disqualification rules and ex officio member endorsement of non-Democrats.
3. Recommended the following Rules changes for adoption:
  - A. Correction of gendered references

ARTICLE IV. OFFICERS

SECTION A. OFFICERS OF THIS COMMITTEE

1. The officers of This Committee shall be a Chair, Vice-Chair (~~Male~~Other than Self-Identified Female), Vice-Chair (Self-Identified Female), Recording Secretary, Corresponding Secretary, Controller, Parliamentarian, the Immediate Past Chair, and one (1) Vice-Chair from each Region. The office of Treasurer is an appointed position requiring an expert in campaign finance and reporting. As such, the Treasurer is not an officer for purposes of internal governance, but shall be a principal of This Committee for the purposes of campaign finance report filing and compliance with applicable campaign finance, tax and related law. Except for the Treasurer, no officer of This Committee may be an employee of This Committee.

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3. The following officers of This Committee shall be elected: a Chair, Vice-Chair (Other than Self-Identified Female ~~Male~~), Vice-Chair (Self-Identified Female), Recording Secretary, Corresponding Secretary, Controller, and one (1) Vice-Chair from each Region. The following officers shall not be elected: Immediate Past Chair, who serves by virtue of his/her status as such, and the Parliamentarian, who shall be appointed by the Chair of This Committee

Section B. DUTIES OF OFFICERS

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2. Vice-Chair (Other than Self-Identified Female ~~Male~~) and Vice-Chair (Self-Identified Female)

- a. The Vice-Chair (Other than Self-Identified Female Male) and Vice-Chair (Self-Identified Female) shall perform the duties and have the powers of the Chair when the latter is unable to act. In the event of the removal, resignation or death of the Chair, the Vice-Chair of the opposite sex shall exercise the powers and duties of the Chair. At the next meeting for which due notice can be given, an election shall be held for the office of Chair. Each Vice-Chair shall assist in the performance of the duties of the Chair upon request.

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## ARTICLE VIII. BUDGET AND FINANCE

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### Section B. EXPENDITURES

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- 3. The Chair, Treasurer, Vice Chair (Other than Self-Identified Female Male), and Vice-Chair (Self-Identified Female) are hereby authorized to sign checks on any account carried in the name of This Committee, provided the expenditure has been duly authorized. All checks shall require two (2) signatures. The Treasurer or Chair shall be a signatory on every check.

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B. Correct reference from “Assembly District Committee” to “Assembly District Delegation”

## ARTICLE VII. COMMITTEES

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### Section H. RESOLUTIONS COMMITTEE

#### 1. INTRODUCTION

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- b. The Resolutions Committee shall:
  - (i) Consider only those resolutions submitted by a member of This Committee, an Assembly District Delegation ~~Committee~~, a Region, or by an entity chartered by This Committee.
  - (ii) Combine similar resolutions by re-writing.

(iii) Reject resolutions which repeat past positions unless substantially new actions are proposed.

(iv) Consider only those resolutions which by subject matter do not fall within the scope of the Legislative Action, Policy, Ballot Measures and Rules and Legal Committee(s).

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- B. Restore 2-year committee appointments and conform committee appointment language. Reduce allowed absences from committee meetings from 3 to 2.

## ARTICLE VII. COMMITTEES

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### Section B. OTHER STANDING COMMITTEES

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2. The Chair of This Committee shall appoint two (2) Co-Chairs of each Standing Committee with the consent of the Policy Committee, within sixty (60) days after the second Monday in July following each statewide primary election ~~Organizational Meeting of This Committee~~. One (1) Co-Chair of each Standing Committee may be an Alternate Member. Additionally, the Chair of This Committee shall appoint at least one (1) additional member to each Committee, which, along with the Committee Co-Chairs shall constitute the initial membership of each Standing Committee. These initial members shall serve until their successors are appointed. The Chair of This Committee shall consider geographic diversity when appointing Co-Chairs of Standing Committees. A separate process for appointments to the Budget, Finance and Audit Committees are described in Article VII.B.4 and Article VII.D.1.

3. Each Regional Vice-Chair shall appoint members of his/her Region to the following Standing Committees within sixty (60) days of the second Monday in July following each statewide primary election ~~Organizational Meeting of This Committee in the following number per District:~~

Ballot Measures	1 per Region
Campaign Services	1 per Region
Candidate Interview	1 per AD
Community Outreach	1 per Region
Credentials	1 per AD
Election Protection and Oversight	1 per Region
Events	1 per Region
Judicial Interview	1 per Region
Labor	1 per Region
Legislative Action	1 per Region

Organizational Chartering and Development	1 per Region
Program and Education Resolutions	1 per Region
Rules & Legal	1 per Region
Voter Registration and Development	1 per Region

Any Regular or Alternate Members who wish to serve on a Standing Committee who have not been so appointed may be appointed by the Chair of This Committee.

The Chair of This Committee may appoint additional members to Endorsement Recommendation Committees, except for Assembly District Delegations, to insure geographic or other diversity when considering a particular race(s).

4. The Budget and Finance Committees of This Committee shall each be composed of five (5) members of This Committee appointed by the Policy Committee.

5. The Chair of This Committee may, with the consent of the Policy Committee, appoint members of the Chair’s Advisory Committee to any Standing Committee as non-voting member.

Section C. NOTICE AND RULES

1. The Chair of This Committee may remove the Chair or any member of a Standing Committee. A Standing Committee member who misses ~~three (3)~~ two (2) consecutive meetings is considered to have resigned.

AGENDA ITEM 4: CLARIFY WHEN AN ALTERNATE COUNTS FOR PURPOSES OF A QUORUM

ARTICLE II. MEMBERSHIP

Section A. TYPES OF MEMBERS

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5. Alternate Members

a. Any Regular Member in good standing may appoint an Alternate Member, subject to the approval of This Committee, who shall serve at the member's pleasure, upon presentation of written authorization to the Chair of the Credentials Committee. Except at the Organizational Meeting, such appointment shall not be submitted to This Committee for approval unless the Chair of the Credentials Committee has been notified of the appointment at least fifteen (15) days prior to the meeting at which the appointment is to be announced.

b. An Alternate Member for an Elected or Appointed Member must reside in the same Assembly District. An Alternate Member for an Ex-Officio Member must reside in that political subdivision of Los Angeles County which the Appointing Member was elected to represent or for which the Appointing Member was the Highest Finishing Democrat.

c. An Alternate Member shall meet the same dues requirement of This Committee as a Regular Member.

d. An Alternate Member has right of voice and motion at meetings of This Committee even if the Appointing Member is present but may vote only in the absence of that member. An Alternate Member may serve on a standing or special committee with a Regular Member; may serve as a representative of This Committee to the State Committee or its Executive Board, provided all Regular Members who are candidates for representative are first given the opportunity to be elected; but may not be elected or appointed to serve as an officer of This Committee.

e. An Alternate Member shall be considered a member of the Assembly District Delegation and Region for the Assembly District and Region in which the Appointing Member resides except where an Alternate Member is a voting alternate for the Highest Finishing Democrat or a Democratic officeholder whose District extends into Los Angeles County but who is not himself/herself registered to vote in Los Angeles County. In the case of such an exception, the voting Alternate Member shall be considered a member of the Assembly District Delegation and Region in which the voting Alternate Member is registered to vote.

#### ARTICLE IV. OFFICERS

##### Section A. OFFICERS OF THIS COMMITTEE

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2. ~~Any~~ Only Regular Members in good standing of This Committee ~~is~~ are eligible to be ~~an~~ officers of this Committee.

#### ARTICLE V. ELECTION AND RECALL

##### Section A. COUNTYWIDE OFFICERS OF THIS COMMITTEE

. The Chair, Vice-Chair (Self-Identified Female), Vice Chair (Other than Self-Identified Female), Secretaries, and Controller shall be elected at the Organizational Meeting; by eligible voters shall be all Regular Members of This Committee or in their absence, such Regular Member's alternate.

2. Nominations for these offices shall be accepted at the Organizational Meeting. A member may nominate himself/herself. [See Article IV, Section A.2 for officer qualifications.]

3. In any such election, This Committee's Parliamentarian, unless the Parliamentarian is a

candidate for an office at issue in the election, shall be the Presiding Officer. Where the Parliamentarian is a candidate for an office at issue in the election, the most immediate past Chair of This Committee who is not a candidate for office shall be the Presiding Officer. Other rules for the election shall be established by the Policy Committee, after consultation with the Co-Chairs of the Rules and Legal Committee, and subject to approval by This Committee.

~~4. — Challenges to the election of any officer shall be decided by an Appeals Committee at or during the meeting at which the election occurred, or is to occur, except as set forth below.~~

~~a. — Composition of Appeals Committee~~

~~The validity of any challenge concerning the officer election process shall be determined by an Appeals Committee consisting of the Presiding Officer, one (1) Credentials Committee Co-Chair selected by the Chair of This Committee and one (1) Rules and Legal Committee Co-Chair selected by the Chair of This Committee. Although inclusion of a designated Co-Chair's name on the notice shall not limit the ability of the other Co-Chair to serve in the event of unavailability of the designee, the names of the Co-Chairs of the Credentials and Rules and Legal Committee designated by the Chair of This Committee to serve on the Appeals Committee shall be included in the election notice.~~

~~b. — Authority of Appeals Committee~~

~~i. — The Appeals Committee shall have authority to resolve the challenge and to order such remedy as may be just and equitable. Remedies may include, but are not limited to, disqualifying a challenged ballot, directing that a challenged ballot be counted, or directing that the election or any part thereof be reconducted. The decision of the Appeals Committee shall be final.~~

~~ii. — Except as otherwise set forth in this Article V. Section A.4.b, a challenge must be filed at the meeting at which the election occurred or is to occur. In the event a challenge is filed after the meeting in which the election has occurred, the Appeals Committee may determine that compelling unusual circumstances exist and vote to hear the challenge notwithstanding the fact it was filed after the close of the meeting, but only if the untimely challenge was filed no later than fourteen (14) days before the next regularly scheduled meeting of This Committee. In the event such a post-election appeal is sustained by unanimous vote of the Appeals Committee, the Appeals Committee may order the election re-run and establish the rules and procedures for the re-running thereof; provided that the person selected in the challenged election shall continue to serve until the election has been re-run.~~

## Section B. REGIONAL VICE-CHAIRS AND REGIONAL SECRETARIES

1. Each Regional Vice-Chair shall be elected within thirty (30) days after the Organizational Meeting of This Committee by those members of This Committee residing in the Region. A

Regional Secretary shall be elected at the same time. ~~Ø~~ Regional Vice-Chairs are officers of This Committee and, under Article IV, Section A.2, only a Regular ~~æ~~ Member of This Committee resident in the Region is eligible to seek election or serve as a Regional Vice-Chair. ~~ø~~ In addition, only a Regular Member of This Committee is eligible to seek election or serve as a Regional Secretary.

2. Should a vacancy occur during the term of a Regional Vice-Chair, the Secretary of that Region shall notify all the members of that Region that a meeting will be held (within thirty (30) days of the declaration of the vacancy) to fill the vacancy. If the Secretary does not send the notice, the Chair may instruct the Corresponding Secretary to send the notice. The notice shall be sent no less than five (5) days prior to the meeting, which shall be held in the Region or in conjunction with a regular meeting of This Committee.

Section C. OFFICER ELECTION CHALLENGES (\*\* the balance of this section is moved from former A.4\*\*)

Challenges to the election of any officer shall be decided by an Appeals Committee at or during the meeting at which the election occurred, or is to occur, except as set forth below.

~~a.~~ 1. Composition of Appeals Committee

The validity of any challenge concerning the officer election process shall be determined by an Appeals Committee consisting of the Presiding Officer, one (1) Credentials Committee Co-Chair selected by the Chair of This Committee and one (1) Rules and Legal Committee Co-Chair selected by the Chair of This Committee. Although inclusion of a designated Co-Chair's name on the notice shall not limit the ability of the other Co-Chair to serve in the event of unavailability of the designee, the names of the Co-Chairs of the Credentials and Rules and Legal Committee designated by the Chair of This Committee to serve on the Appeals Committee shall be included in the election notice.

~~b.~~ 2. Authority of Appeals Committee

~~i.~~ a. The Appeals Committee shall have authority to resolve the challenge and to order such remedy as may be just and equitable. Remedies may include, but are not limited to, disqualifying a challenged ballot, directing that a challenged ballot be counted, or directing that the election or any part thereof be reconducted. The decision of the Appeals Committee shall be final.

~~ii.~~ b. Except as otherwise set forth in this Article V. Section A.4.b, a challenge must be filed at the meeting at which the election occurred or is to occur. In the event a challenge is filed after the meeting in which the election has occurred, the Appeals Committee may determine that compelling unusual circumstances exist and vote to hear the challenge notwithstanding the fact it was filed after the close of the meeting, but only if the untimely challenge was filed no later than fourteen (14) days before the next regularly scheduled meeting of This Committee. In the event such a post-election appeal is sustained by unanimous vote of the Appeals Committee, the

Appeals Committee may order the election re-run and establish the rules and procedures for the re-running thereof; provided that the person selected in the challenged election shall continue to serve until the election has been re-run.

Section ~~C~~ D. ASSEMBLY DISTRICT DELEGATION OFFICERS

1. Each Assembly District Delegation shall elect a Chair and a Vice-Chair at the Organizational Meeting of This Committee or the Delegation's first regular meeting after the Organizational Meeting. Only a Regular or Alternate Member of This Committee resident in the Assembly District is eligible to seek election or serve as a Delegation Chair or a Delegation Vice-Chair.
2. In the absence of the Delegation Chair from any duly called Delegation meeting, or in the event of a vacancy, the Vice-Chair shall perform the duties and have the powers of the Delegation Chair during the course of the meeting or until the vacancy is filled, as applicable. The Vice-Chair shall be responsible for the taking of minutes at any Delegation meeting.
3.
  - a. Should a vacancy occur in the office of Delegation Chair during the term of the Delegation Chair, the Vice-Chair of that Delegation shall notify all the members of that Delegation that a meeting will be held (within thirty (30) days of the declaration of the vacancy) to fill the vacancy.
  - b. Should a vacancy occur in the office of Delegation Vice-Chair during the term of the Delegation Vice-Chair, the Delegation Chair shall notify all members of that Delegation that a meeting will be held (within thirty (30) days of the declaration of the vacancy) to fill the vacancy.
  - c. If the applicable Delegation officer (Chair or Vice-Chair) does not send the notice, the Chair of This Committee may cause notice to be given to the Delegation.
  - d. The notice shall be sent no less than five (5) days prior to the meeting to fill the vacancy, which shall be in the district or in conjunction with a regular meeting of This Committee

Section ~~D~~ E. REPRESENTATIVES TO STATE COMMITTEE

1. The regular membership of each Assembly District Delegation shall automatically be elected as This Committee's representative to the State Committee provided written intent to serve has been filed with This Committee. Any representatives apportioned to This Committee which are not so elected shall be elected at-large. The at-large Delegates shall be used to balance the Delegation as equally as possible between self-identified females and persons other than self-identified females. Alternate Members shall only be eligible for election provided there are not sufficient numbers of Regular Members, who choose to stand for election, to fill the Delegation. Within these parameters, the at-large candidates for representative receiving the most votes within their respective gender category shall be deemed elected. These representatives shall serve until their successors are elected, provided they remain members of This Committee.

2. In the event there are insufficient candidates who have been selected to serve as representatives to the State Committee in time for This Committee to fill its allotted number of representatives to the State Committee by the State Committee's deadline for submission of representatives' names, the Policy Committee of This Committee or, at the Policy Committee's discretion, the Chair of This Committee shall be entitled to fill the remaining slots by appointment. Representatives to the Executive Board of the State Committee shall be elected pursuant to the Rules adopted by This Committee consistent with the Constitution and By-Laws of the State Committee and This Committee. Except as otherwise provided in this Article V. Section D, vacancies shall be filled by election, due notice having been given.

#### Section ~~E-F~~. RECALL OF OFFICERS

1. Any officer of This Committee may be recalled by affirmative vote of two-thirds (2/3) of the eligible members present and voting provided that:

a. The officer's recall has been requested by the Policy Committee or by written petition signed by thirty (30) Regular Members and containing the alleged grounds for recall;

b. Written notice has been sent at least ten (10) days prior to the regular meeting stating the alleged grounds to each member;

c. The officer is allowed thirty (30) minutes during which the officer and/or any persons selected by the officer shall be allowed to address this committee immediately before the vote.

2. The method in this Section shall be in addition to any method provided by a Region for recall of its Regional Vice-Chair.

### ARTICLE XI. ENDORSEMENT

#### Section A. GENERAL PROVISIONS

The following general provisions shall govern all endorsement recommendation and endorsement proceedings of This Committee or its Endorsement Recommendation Committees:

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#### 12. Quorum

a. Minimum Participation

(i) Endorsement Recommendation Committees Consisting of an Assembly District(s)

(A) When Assembly District Delegations are meeting as Endorsement Recommendation

Committees, the voting members shall consist of: all Regular Members in attendance, unless disqualified; and any Alternate Member in attendance either in the absence of their Regular Member or when their Regular Member is disqualified, provided that the Alternate Member is not herself/himself disqualified.

(B) Assembly District Delegations meeting as Endorsement Committees, either alone or in conjunction with other Assembly District Delegations, have the following quorum requirements:

- a) In the case of a single Assembly District Delegation, a majority of the voting members or filled positions of all Regular Members, with a maximum quorum requirement of six (6), whichever is lesser;
- b) In the case of a two (2) Assembly District Delegations meeting jointly, a majority of the voting members or filled positions of all Regular Members, with a maximum quorum requirement of nine (9), whichever is lesser;
- c) In the case of a three (3) Assembly District Delegations meeting jointly, a majority of the voting members or filled positions of all Regular Members, with a maximum quorum requirement of twelve (12), whichever is lesser; and
- d) In the case of a four (4) Assembly District Delegations meeting jointly, a majority of the voting members or filled positions of all Regular Members, with a maximum quorum requirement of fifteen (15), whichever is lesser.

[Note: Regular Members are defined as Elected, Appointed, and Ex-Officio Members. A majority is calculated by first determining the number of filled positions and then subtracting any disqualified members as described in XI.A.11-10 above.]

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### 13. Participation of Alternate Members

- a. Alternates may only vote on endorsement recommendations at the Assembly District level, if:
  - (i) The Appointing Member is not present at the time of the vote, or
  - (ii) Their Appointing Member is disqualified, whether or not the Appointing Member is present at the time of the vote.
- b. Alternate Members serving on Endorsement Recommendation Committees that are Standing or Ad Hoc Committees have the same rights and privileges as Regular Members on the committee.

## ARTICLE XIV. ASSEMBLY DISTRICT DELEGATIONS

### Section A. MEMBERSHIP

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### Section B. MEETINGS

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4. ~~Two (2) or more Delegations may hold regular or special meetings together.~~ Meetings may be held in conjunction with a meeting of a Region or This Committee.

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6. Except when sitting as an Endorsement Recommendation Committee, all Regular Members and all Alternate Members present shall count toward a quorum. The number of voting members needed to constitute a quorum for meetings of Assembly District Delegation(s) is the lesser of the number equal to ~~have the following quorum requirements:~~

~~a. In the case of a single Assembly District Delegation, a majority of the filled positions of all Regular Members, with a maximum quorum requirement of or six (6).~~

[For example, if there are four (4) filled Regular Member positions and every one of the four (4) Regular Members has appointed an alternate, the quorum is four (4) voting members since four (4) -- the number of filled Regular Member positions -- is less than six (6) and any of the eight voting members of the delegation (the four (4) Regular Members and four (4) alternates) may be counted for the purpose of constituting a quorum].

~~b. — In the case of a two (2) Assembly District Delegations meeting jointly, a majority of the filled positions of all Regular Members, with a maximum quorum requirement of or nine (9);~~

~~c. — In the case of a three (3) Assembly District Delegations meeting jointly, a majority of the filled positions of all Regular Members, with a maximum quorum requirement of or twelve (12); and~~

~~d. — In the case of a four (4) Assembly District Delegations meeting jointly, a majority of the filled positions of all Regular Members, with a maximum quorum requirement of or fifteen (15).~~

[Note: Regular Members are defined as Elected, Appointed, and Ex-Officio Members.—A majority is calculated by first determining the number of filled positions and then subtracting any disqualified members as described in XI.A. 11.a10.b above]