

Fresno County Democratic Central Committee By-Laws

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By-Laws

ARTICLE I: Name and Purpose

Section 1. Name

The name of this organization is the **Fresno County Democratic Central Committee** (FCDCC; hereafter the “**Committee**”). The organization shall be synonymous with the **Fresno County Democratic Party**. The **Committee**’s existence is authorized by the California Elections Code.¹

Section 2. Purpose

The purpose of this **Committee** shall be to promote the growth and development of the Democratic Party; to coordinate Democratic Party business at the county level; to recruit Democratic candidates for elective offices and appointed positions in the County; to actively support Democratic candidates and incumbents who have pledged to fulfill the Democratic Party platform; to charter clubs, associations or councils; and to assist the Democratic State Central Committee (DSCC) in conducting Democratic Party activities within the County.

Section 3. Compliance

These By-Laws, which govern the operation and functions of the **Committee**, should comply with state and county laws governing Central Committees, and defer to California Democratic Party (hereafter the “State Party”) directives and National Democratic Party policies.

ARTICLE II: Membership

Section 1. Members

- a. The members of this **Committee** shall consist of Regular, Ex-Officio and Associate members. All members must be registered voters of the Democratic Party. The number of members of the Committee shall not be less than 21 (7200).¹
 - (1) Regular Members
 - a) Are duly elected members of the **Committee** or vacancy replacements;
 - b) Must reside in the county supervisorial district from which they are elected or appointed (7200)¹;
 - c) Are qualified to serve pursuant to the California Elections Code (7200)¹; and
 - d) Shall pay annual membership dues of thirty dollars (\$30.00).
 - (2) Ex-Officio Members are Democratic incumbents and recent candidates who are qualified to serve pursuant to the California Elections Code (7206 & 7207).²
 - (3) Associate Members
 - a) Are presidents or designees of chartered clubs, duly elected Assembly District (AD) delegates residing in the county and persons appointed by the Chair;
 - b) May not vote or be an officer of the **Committee**; and
 - c) Shall pay annual dues of twenty-five dollars (\$25).

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Section 2. Alternates

- a. Are appointed by Regular and Ex-Officio members of the **Committee**;
- b. Must meet the same qualifications as their appointers;
- c. Must provide written notice of said appointment;
- d. Shall pay annual dues of fifteen dollars (\$15.00); and
- e. Shall have the rights of the appointer in his/her absence.

ARTICLE III: Vacancies and Removal

Section 1. Vacancies

- a. A vacancy occurs when a member
 - (1) Affiliates or registers as a member of another political party (7215),³ or
 - (2) Changes residence from the district where elected or appointed (7214),⁴ or
 - (3) Is delinquent in payment of dues (Article IX) more than thirty (30) days after notice from the Treasurer, or
 - (4) Is removed due to absences, or
 - (5) Is removed for cause, or
 - (6) Resigns or dies.
- b. In the event no one is elected or a vacancy occurs after the election, the **Committee** may accept nominations for the unfilled vacancies at any meeting. The **Committee** at the next regular meeting shall, by the vote of a majority present, fill the vacancy (7212).⁵

Section 2. Removal for Absences

- a. An excused absence is an absence caused by illness or temporary travel out of the county on the date of the meeting. A Regular Member seeking an excused absence must report the reason by writing, telephone, fax or e-mail to the Secretary before the start of the regular meeting at which the member will be absent. In case of sudden illness or dire emergency, notice must be given within 72 hours after missing a meeting.
- b. Any Regular Member with three (3) consecutive unexcused absences from a regular meeting may be removed from the Committee. Upon the third (3rd) unexcused absence, the Secretary shall communicate with the member to ascertain the problem and advise the Executive Board of the findings. The Executive Board shall then take the appropriate action regarding removal or non-removal of the member.
- c. A Regular Member with three (3) unexcused absences in a twelve (12) month period shall be informed by the Secretary in writing that an additional absence at any time could result in removal from the **Committee**. Upon the fourth (4th) absence, the member may be removed.
- d. Attendance by a Regular Member's Alternate Member does not satisfy the Regular Member's attendance requirements stated in (b) or (c) above.
- e. Upon removal, the procedure to fill the vacancy will begin at once.

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Section 3. Removal for Cause

- a. Any member may be removed for cause by a two-thirds (2/3) vote of a quorum of the **Committee**.
- b. Cause shall include, but not be limited to,
 - (1) Publicly advocating voters NOT to vote for any nominee of the party, or
 - (2) Giving public support or showing preference for a candidate of another political party in a partisan or a nonpartisan election.
- c. The procedure for removal shall be determined by the current State Party By-Laws procedures.

ARTICLE IV: Officers

Section 1. Officers

The elected officers of the **Committee** shall be the Chair, Vice-Chair, Secretary, Treasurer and Auditor.

- a. The officers shall perform the duties prescribed by these By-Laws and according to the parliamentary authority adopted by the **Committee**.
- b. The officers shall serve for two years or until their successors are elected. Their terms of office shall begin at the close of the reorganizational meeting at which they are elected.

Section 2. Election of Officers

- a. All officers shall be elected at the reorganizational meeting called by the outgoing Chair in odd-numbered years, following the previous November election on the date of the first scheduled regular meeting following the certification of the election of Regular Members.
- b. Nominees for election are limited to voting members.
- c. Elections shall be a majority vote of the **Committee**.
- d. If there is only one candidate for an office, election may be by voice vote. If there is more than one candidate, election shall be by roll call or other non-secret polling of the newly qualified Regular Members and Ex-Officio Members or the Ex-Officio's representative (having been designated in writing) on the **Committee**. The roll call vote shall be conducted by the **Committee** Secretary. In the event of the Secretary's absence, the presiding Chair of the meeting may appoint another qualified voting member of the **Committee** to be acting Secretary to call the roll or announce the results of the poll of the voting members.
- e. If no single candidate receives a majority vote, a runoff election will be held between the two candidates receiving the most votes.
- f. The order of election of new officers at the reorganizational meeting shall be Chair, Vice-Chair, Secretary, Treasurer and Auditor, and they shall take office immediately following administration of an oath⁶ or a promise to faithfully execute the duties of their office. The meeting will subsequently adjourn.
- g. The new Chair shall immediately call a new meeting to order. The primary business of this new meeting shall be the election of qualified members of the DSCC from among the new members according to the rules set forth in the By-Laws & Rules of the California Democratic Party.⁷

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Section 3. Removal of Officers

- a. An officer may be removed for cause by a two-thirds (2/3) vote of all members of the **Committee**.
- b. An officer may be removed by a two-thirds (2/3) vote of all members for three absences from Executive Board meetings, following a majority recommendation of the other members of the Executive Board.

Section 4. Vacancies

When there is an officer vacancy, the position shall be filled in the manner set forth in Article IV, Sec. 2.

Section 5. Duties of Officers

- a. The duties of the Chair shall be
 - (1) To act as Chief Executive Officer and official spokesperson of the **Committee**.
 - (2) To carry out the policies of the **Committee** and its Executive Board.
 - (3) To serve ex-officio, without a vote, on all standing committees.
 - (4) To create special committees, as needed, and appoint chairs of committees, subject to **Committee** approval.
 - (5) To appoint an ad hoc Endorsement Committee in advance of considerations for endorsement of ballot measures and candidates.
 - (6) To call and preside at all meetings of the **Committee** and at the reorganizational meeting in accordance with Article V, Sec. 2.
 - (7) To appoint, at his/her discretion, a Parliamentarian to provide procedural advice.
 - (8) To appoint, at his/her discretion, a Sergeant at Arms to take roll and maintain decorum.
 - (9) To appoint, at his/her discretion, and subject to the advice and consent of the **Committee**, an attorney licensed to practice law in the State of California, who is a registered Democrat and a resident of Fresno County, to serve as General Counsel. The General Counsel shall not be a member of the **Committee** but may attend all Executive Board and regular meetings in an advisory capacity. The appointment is subject to the ratification of the **Committee** at its first regular meeting following the appointment.
- b. The duties of the Vice-Chair shall be
 - (1) To preside at meetings in the absence of the Chair.
 - (2) To perform the duties of the Chair when the office is vacated, pending election of a new Chair.
 - (3) To assist the Chair in the business of the **Committee**.
 - (4) To perform other duties assigned by the Chair.
- c. The duties of the Secretary shall be
 - (1) To keep **Committee** appointments and attendance records.
 - (2) To attend all meetings of the **Committee** and the Executive Board, and to record attendance and proceedings.
 - (3) To provide notification of meetings, agendas and minutes of previous meetings to members.
 - (4) To maintain a roster of names, addresses, phone and fax numbers, and e-mails of members and alternates.

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- d. The duties of the Treasurer shall be
 - (1) To receive all monies and deposit in bank checking or savings.
 - (2) To expend monies stipulated by the authority of the **Committee**.
 - (3) To prepare and present financial reports at meetings and submit all reports required by law.
 - (4) To have the books ready for audit at the end of the fiscal term or whenever requested by the Executive Board.
 - (5) To allow any member to inspect the books, with written request of one week's notice.
 - (6) To function as a member of the Budget and Finance Committee.
 - (7) To notify members when dues are outstanding.
 - (8) To maintain a list of paid members who are eligible to vote.
 - (9) To present statements of debt to any entity owing money to the **Committee**.
- e. The duties of the Auditor shall be
 - (1) To review the finances as directed by the **Committee**.
 - (2) To perform an internal audit of the books annually and in the event of a change of Treasurer.

ARTICLE V: Meetings

Section 1. Regular Meetings

- a. Regular meetings shall be held on the first Wednesday of each month, and other meetings may be held at times the **Committee** may designate.
- b. The Secretary shall notify each member no later than the Monday preceding the meeting of the time and place in a manner reasonably calculated to provide actual notice to each member of the **Committee** (hereafter "notice").
- c. A regular meeting date may be changed by a majority vote of a quorum.
- d. The Executive Board may change the date with a seven (7) day notice or the location with a forty-eight (48) hour notice. Failure to provide required notice shall invalidate the business of the meeting.

Section 2. Reorganizational Meetings

- a. Reorganizational meetings are called on the date of the first scheduled regular meeting following the certification of the election of Regular Members.
- b. The Secretary shall provide notice to all members fourteen (14) days in advance of the reorganizational meeting.
- c. All other stipulations of regular meetings shall apply.

Section 3. Special Meetings

- a. Special meetings may be called by the Chair or by a petition signed by a majority of members entitled to vote, with at least forty-eight (48) hours notice.
- b. Business must be confined to the business announced in the call to meet.

Section 4. Quorum

A quorum shall consist of nine (9) members of the **Committee**.

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Section 5. Voting

- a. Whenever voting is done by ballot, a blank ballot may not be counted.
- b. In cases of absence, members may be represented by their duly authorized alternates. No other proxy voting is allowed.
- c. A member who is one (1) month or more behind in the payment of dues will not be allowed to vote on any business or issue before the **Committee** until the dues are paid.

Section 6. Rules

- a. A speaker in debate shall be limited to two (2) minutes.
- b. A speaker may speak no more than twice on the same debatable issue at the same meeting.

ARTICLE VI: Executive Board

Section 1. Function

- a. To implement the policies and decisions of the **Committee**.
- b. To serve as the governing body for the **Committee** between meetings.
- c. To develop and refine policy proposals for the **Committee**'s consideration.
- d. To review legal matters for presentation in consultation with the General Counsel.
- e. To carry out any other duties required by these By-Laws.

Section 2. Composition

- a. The Executive Board shall consist of the elected officers and the chairs of the standing committees.
- b. An alternate may be appointed by the Chair to perform the duties of the Secretary when no member is available to fill this position. In this case, voting privileges do not apply.

Section 3. Meetings

- a. The Executive Board shall meet on Monday, two (2) weeks prior to the regular meeting of the **Committee**.
- b. The Chair or a majority of the officers may call a special meeting of the Executive Board with a three (3) day notice to each member of the Board.

Section 4. Voting

Neither proxy nor absentee voting is permitted at any Executive Board meeting.

Section 5. Quorum

A quorum of the Executive Board shall be composed of a majority of its members.

ARTICLE VII: Standing Committees

Section 1. Committee Chairs

- a. Standing committee chairs shall be appointed at the discretion of the Chair, with approval of the **Committee**.
- b. Standing committee chairs can be Regular Members, Ex-Officio Members or Alternate Members.

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Section 2. Standing Committees

The standing committees shall be the following:

- a. The Budget and Finance Committee shall
 - (1) Initiate and implement the budget and finance strategies or goals established by the **Committee** and assist the Fund-Raising Committee.
 - (2) Work with the Chair, the standing committee chairs and the Treasurer to develop a two-year budget to be submitted for approval to the Executive Board and the **Committee** by the first (1st) January meeting after the reorganizational meeting. This budget shall cover operations of the **Committee** until the next reorganizational meeting.
- b. The Campaign Services Committee shall
 - (1) Assist and coordinate services to Democratic candidates.
 - (2) Coordinate GOTV (get-out-the-vote) activities focused on registered Democratic and Decline-to-State voters on behalf of all Democratic candidates on the ballot.
 - (3) Recruit and support viable Democratic candidates to compete for elective office at all levels of government.
 - (4) Recruit and support viable Democrats for appointment to boards and commissions.
 - (5) Encourage feedback from Democratic elected officials and appointees for review by the **Committee**.
 - (6) Maintain a current voter registration database for use by the standing committees, Democratic clubs and Democratic candidates.
 - (7) Maintain a current database of all elective positions, both partisan and nonpartisan, within the county to include the current officeholder and his/her party affiliation, the term limit for the current officeholder, the term of office of the position and the requirements of eligibility for the position.
 - (8) Maintain a current database of all appointed positions for which county residents are eligible to serve (whether at the city, county, district, regional or state level) to include the current person serving in the position and his/her party affiliation, the term limit for the current person serving in the position (if applicable), the term of office of the position and the requirements of eligibility for the position.
 - (9) Coordinate, initiate, organize and collaborate on Democratic voter registration efforts.
- c. The Fund-Raising Committee shall
 - (1) Initiate and coordinate ongoing fund-raising activities.
 - (2) Create and maintain a database of Democratic donors.
- d. The Issues and Legislation Committee shall
 - (1) Research public policy issues and make action recommendations to the **Committee**.
 - (2) Develop a public education program to promote discussion of public policy.
 - (3) Formulate appropriate resolutions to submit to the State Party for adoption.
- e. The Public Relations/Communications Committee shall
 - (1) Work with the Chair of the **Committee** to establish the organization's relationship with the media and prepare and disseminate press releases at the direction of the Chair.
 - (2) Produce a regular newsletter.
 - (3) Provide public relations support for the other standing committees.
 - (4) Maintain a current and viable Web site and optimize the distribution of information via other electronic formats.
 - (5) Coordinate and manage a speakers' bureau.
 - (6) Develop and operate a graphics and production bureau to support **Committee** printing and reproduction needs.
- f. The Organizational Development Committee shall

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- (1) Promote and facilitate the formation of Democratic clubs within Fresno County.
- (2) Develop and implement an annual club charter process.
- (3) Support and nurture the continuing growth and stability of Democratic clubs within Fresno County.
- (4) Coordinate volunteer recruitment and training.
- (5) Create and maintain a database of Democratic activists and volunteers for use by all standing committees, Democratic clubs and Democratic candidates.

ARTICLE VIII: Chartering of Clubs

Section 1. Authorization

The **Committee** shall charter Democratic clubs within Fresno County.

Section 2. By-Laws

The by-laws of a club shall conform to the requirements established by the DSCC⁸ and the **Committee**.

Section 3. Membership

The voting members of clubs shall consist of registered Democrats only, except for members under voting age, providing the underage members subscribe to the principles of the Democratic Party. Clubs may have associate, non-voting, members who are Decline-to-State registrants, providing said members subscribe to the principles of the Democratic Party.

Section 4. Chartering Fee

The chartering fee is twenty-five dollars (\$25.00) per year for a club. Annual renewal for chartering shall occur prior to March 31, or as otherwise stipulated.

Section 5. Application

New organizations may submit applications in writing at any regular meeting of the **Committee**. The **Committee** may act on the application at the following meeting if a representative of the club is present.

Section 6. Application Requirements

An application for an original charter shall contain

- a. The name of the organization;
- b. The geographical area or political district from which the organization intends to draw its members;
- c. A statement that the organization has adopted, as part of its constitution, the provisions required by the **Committee**;
- d. A copy of the organization's by-laws to be resubmitted upon each revision;
- e. A statement that each voting member is a registered Democrat and that a member under voting age accepts the principles of the Democratic Party; and
- f. The names and addresses of the officers and a list of at least twenty (20) members.

Section 7. Re-Chartering

The annual re-chartering application shall be submitted to the Organizational Development Committee and contain

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- a. The names and complete contact information of the organization's officers and a member roster including at least twenty (20) dues paid members, and
- b. A copy of the by-laws, including all changes, amendments and deletions occurring in the preceding year.

Section 8. Revisions to Charter or By-Laws

Any changes to the charter or the by-laws shall be submitted to the Organizational Development Committee for review and approval within 30 days of adoption.

ARTICLE IX: Dues

Section 1. Annual Dues

- a. The annual dues for Regular Members are thirty dollars (\$30.00).
- b. The annual dues for Alternate Members are fifteen dollars (\$15.00).
- c. The annual dues for Associate Members are twenty-five dollars (\$25.00).

Section 2. Payment

Dues are payable within one (1) month of assuming office and on January 1 of the succeeding year. The Treasurer shall notify Regular, Alternate and Associate members delinquent in payment of dues for more than one (1) month, advising them that failure to pay dues is grounds for removal from the **Committee**.

ARTICLE X: Finances

Section 1. Budgeted Expenditures

Expenditures that are authorized in the approved budget may be paid without further approval if the appropriate funds are available.

Section 2. Non-Budgeted Expenditures

An expenditure or obligation not previously authorized in the budget, up to two hundred and fifty dollars (\$250.00), may be approved by the Executive Board. An expenditure in excess of two hundred and fifty dollars (\$250.00) not previously authorized must be approved by the **Committee** and shall not be incurred without submission to and approval by the **Committee**.

Section 3. Budget Revisions

The **Committee** may revise or amend the budget. Proposed revisions or amendments shall first be submitted to the Executive Board for review and action at an Executive Board meeting. The Board will propose the revisions at the next regular meeting of the **Committee**.

Section 4. Check Signers

All **Committee** checks may be signed by the Treasurer alone. In the absence of the Treasurer, the Secretary may sign checks.

Section 5. Fiscal Term

The fiscal term extends from January 1 to December 31, a calendar year.

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ARTICLE XI: Rules

Section 1. Parliamentary Authority

Parliamentary authority not provided by California Law or by these By-Laws shall be governed by *Robert's Rules of Order*, Newly Revised.

Section 2. Amendments to the By-Laws

Amendments of By-Laws can be made at any regular meeting of the **Committee** by a two-thirds (2/3) vote, provided the amendment was submitted in writing to the Secretary at a previous meeting, no less than four (4) weeks prior to the meeting at which it is to be voted on.

ARTICLE XII: Endorsements

Section 1. Use of the **Committee** Name

The name of the **Committee**, either expressed or implied, shall not be used by any person or group to claim support for or opposition to any candidate or local proposition, unless an endorsement is obtained in the manner set forth in the current State Party By-Laws.⁹

Section 2. Definition

Endorsement is a formal expression of support or opposition by a majority vote of **Committee** members, present and voting.

Section 3. Evaluation Criteria

- a. A Democratic candidate engaged in a partisan or nonpartisan race at any level of government may be considered for an endorsement.
- b. No endorsement shall be made in a partisan race until after the State Primary.
- c. Local ballot measures may be presented to the Endorsement Committee for consideration of an endorsement.
- d. No endorsement shall be made where two or more Democrats are competing in a general election run-off.

Section 4. Procedure

- a. The endorsement procedure shall be determined by current State By-Laws.⁹
- b. Upon the Endorsement Committee's decision, a report and recommendations shall be made to the **Committee**.
- c. In the absence of a functioning Endorsement Committee, the **Committee** may endorse directly from a floor discussion.

Section 5. Conditions

- a. All candidates applying to the Endorsement Committee must be registered Democrats for at least six months. Non-Democrats cannot be endorsed. The Endorsement Committee shall verify these conditions.
- b. The **Committee** is prohibited from endorsing candidates in partisan races who have not been endorsed by the State Party.

Section 6. Action by the **Committee**

- a. All Democratic candidates shall, upon request, be offered an opportunity to address members with equal time.

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- b. All proponents and opponents of ballot measures under consideration shall, upon request, be offered an opportunity to address members with equal time.
- c. The **Committee** may not endorse more candidates than there are seats to be filled.
- d. Endorsements of candidates or measures require a simple majority of members present and voting.
- e. Voting is by open roll call vote and allows the options of
 - (1) Endorsement
 - (2) No Endorsement
 - (3) No Recommendation
- f. All candidates shall be notified of the endorsement results at the earliest possible time.

REVISION HISTORY

By-Laws Revisions: Approved November 6, 2002

Edited and updated: March 22, 2004

Approved by vote of the Executive Board same date

Amended October 6, 2004, by vote of the Committee (Article II and Article IV)

Amended March 7, 2007, by vote of the Committee (Article II, Section 1.a.(4))

Amended June 3, 2009, by vote of the Committee (edited, updated and revised)

Amended June 2, 2010, by vote of the Committee (Article IV, Section 2.a., and Article V, Section 2.a.)

Amended September 1, 2010, by vote of the Committee (Article V, Section 6.a.)

Amended January 5, 2011, by vote of the Committee (Article IV, Section 1.c.; Article VII, Section 2.a.(2); and Article VII, Section 2.b.(9))

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ADDENDUM

1. From the California Elections Code, Section 7200:

In each county containing less than five Assembly districts, a county committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: There shall be taken the number of votes cast in the supervisor district at the last gubernatorial election for that party's candidate for Governor, or, if the party had no candidate for Governor, for the candidate of the party voted on throughout the state who received the greatest number of votes and who was the candidate of that party alone. This number shall be divided by one-twentieth of the number of votes cast in that county for Governor or, where the party had no candidate for Governor, for the candidate mentioned above. The integer next larger than the quotient obtained by that division shall constitute the number of members of the committee to be elected by that party in that supervisor district.

The committees in counties containing less than five Assembly districts shall be composed of not less than 21 members. If the procedure outlined above would result in less than 21 members being elected for any committee, the number of votes cast for this party's candidate in each supervisor district shall be divided by an amount sufficiently smaller than one-twentieth of the votes cast for Governor in that county as to give a membership in the committee equal to or the nearest amount which is greater than 21 members.

2. From the California Elections Code, Section 7206:

In each county the nominee of this party for Senator or the incumbent Senator, the nominees of this party for the Assembly, and any person elected to either the Senate or Assembly at a special election to fill a vacancy in that house, and the nominee of this party for Representative in Congress, and any person elected at a special election to fill a vacancy in the House of Representatives, shall be ex officio members of this committee. If the person elected from one party at the special election for an Assembly or Senate seat, or for the House of Representatives, shall be other than the nominee of that party for the same office at the prior election, the ex officio membership of the nominee shall expire immediately upon certification by the Secretary of State of the election. Ex officio members shall be entitled to all the rights and privileges, including the right to vote, and shall have the same standing in every way as other members of this committee, except they shall not be entitled to a ballot designation of incumbent upon seeking election to this committee in the next direct primary.

From the California Elections Code, Section 7207:

The incumbent or nominee of each of the following offices shall be an ex officio member of the committee in the county in which he or she resides:

- a) Governor.
- b) Lieutenant Governor.
- c) Secretary of State.
- d) Controller.
- e) Treasurer.
- f) Attorney General.
- g) Member of the State Board of Equalization.
- h) United States Senator from California.

His or her rights and privileges shall be the same as those prescribed for other ex officio members in Section 7206.

3. From the California Elections Code, Section 7215:

A committee may remove any member, other than an ex officio member, who during his or her term of membership affiliates with, or registers as a member of another party, who publicly advocates that the voters should not vote for the nominee of this party for any office, or who gives support or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by this party.

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4. From the Elections Code, Section 7214:

The removal of residence by an elected or appointed member of a committee from the Assembly district or supervisor district from which he or she has been elected or appointed a member of that committee shall constitute his or her automatic resignation from the committee.

5. From the California Elections Code, Section 7212:

In the event of the appointment or election to a committee of an ineligible person, or whenever any member of the committee dies, resigns or becomes incapacitated to act, or removes from the jurisdiction of the committee, or ceases to be a member of this party, a vacancy exists which shall be filled by appointment by the committee in which the ineligibility or vacancy occurs. A vacancy shall also exist on a committee when a member is removed from the committee pursuant to Section 7213 or 7215.

6. The standard oath of office for all elected officials in the State of California is as follows:

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

7. From the By-Laws & Rules of the California Democratic Party, Article II, Sec. 4:

Section 4. MEMBERS ELECTED BY COUNTY CENTRAL COMMITTEES

- a. Each County Central Committee of the Party shall elect, from its own members as defined by its by-laws, representatives who shall serve at the pleasure of the County Central Committee to This Committee as follows: four members as base representation, plus one member for each 10,000 registered Democrats or fraction thereof.
- b. The number of registered Democrats shall be as of the most recent report of registration to the Secretary of State. The Secretary of This Committee shall secure the registration totals received by the Secretary of State seven days prior to the General Election, and shall forthwith notify the respective County and District Committees of the Party registrations and the allocation of members to be elected under provisions of the Elections Code.
- c. Elections shall be held by January 31 following the regular general statewide election. Those committees that reorganize in January shall elect their representatives to This Committee at their organizational meetings.
- d. Persons elected as members shall be divided as equally as possible between men and women and shall be members of the County Central Committee as of the date of the first regular meeting of This Committee.
- e. In order for the representative to be eligible to vote at the next meeting of This Committee, no later than February 7 of an odd-numbered year, the County Chair shall notify the State Chair of the Party in writing signed by him or her of the names and addresses of the persons elected to membership of This Committee. Those committees which reorganize in January shall make this notification within three days of the elections held pursuant to subsection (c).
- f. County Central Committees may provide for the election of their allocation of membership on an at-large basis or by Supervisorial or Assembly Districts, or by any combination thereof.

8. See sample by-laws on the California Democratic Council (CDC) Web site at http://www.cdc-ca.org/sample_bylaws.html.

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9. From the relevant sections of Article VIII of the By-Laws and Rules of the California Democratic Party:

Section 1. PRESIDENT OF THE UNITED STATES

a. The State Central Committee of the California Democratic Party, Democratic County Central Committees, and all official units of the California Democratic Party shall not endorse any candidate for delegate to the Democratic National Convention and shall not endorse candidates for President of the United States until the Democratic National Convention has been held.

Section 2. PARTISAN PUBLIC OFFICES OTHER THAN PRESIDENT

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

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

Section 3. NONPARTISAN OFFICES

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

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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 objection is filed with the State Party Chair which: (a) is signed by at least one-half of the members of This Committee resident in the relevant county, and (b) is submitted within five days of the adoption of the County Central Committee position.
- i. The provisions of this section (with the exception of subsections g(1), g(2) and h above) shall become effective if and when Party endorsements in nonpartisan office races become legally permissible.
- j. This Committee hopes and expects that every County Central Committee shall make every reasonable effort:
 - (1) to see that at least one qualified, registered Democrat is a candidate for each local nonpartisan office within its endorsing jurisdiction;
 - (2) to raise funds sufficient to provide significant support to endorsed candidates needing and wishing support;
 - (3) to persuade Democrats running against endorsed candidates to withdraw from their races and to extend their support to those carrying the endorsement;
 - (4) to protect the integrity of its endorsement power by precluding—including through the use of legal process—other entries from representing themselves as purveyors of an official Democratic Party endorsement.