

**Draft Amendments as approved by the Rules Committee, June 14, 2020**

**Part 1: Revise Article VI to read as follows:**

**ARTICLE VI: ASSEMBLY DISTRICTS AND ASSEMBLY DISTRICT ELECTION MEETINGS**

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**Section 1. ASSEMBLY DISTRICT ELECTION MEETINGS**

a. Regular, biennial Assembly District Election Meetings shall be held ~~within each Assembly District in the State~~ for the purpose of electing from each Assembly District 14 members to this Committee and one representative to the Executive Board:

- (1) The Election Meetings shall be held on the Saturday or Sunday of the weekends immediately prior to and following the weekend when the Martin Luther King, Jr. holiday is celebrated ~~second Monday in January~~ in odd- numbered years, with such meeting beginning no earlier than 10 am nor begin later than ~~32~~ pm, with the time for registration to be open for a ~~two~~four-hour period.
- (2) Persons eligible to participate shall be all registered Democrats residing in the Assembly District, who have agreed in writing to abide by the Code of Conduct.
- (3) Persons eligible to be candidates for Assembly District representative or Assembly District Representative to the Executive Board shall be all registered Democrats who were eligible to participate as such in the preceding General Election; provided however, that if a person turned 18, or became a United States citizen by virtue of naturalization, after the last day for registration for said election, execution on or before the end of the filing period referred to in Section 1(i) of the Article of a legally valid voter registration form showing a residence within the Assembly District shall constitute prima facie evidence of eligibility to participate; and has agreed in writing to abide by the Code of Conduct.
- (4) The Convener of the Election Meeting shall be selected by the Chair of this Committee in consultation with the Regional Director responsible for the Assembly District, no later than September 15 of the year prior to the ADEM meeting. ~~Should no person be selected by September 15, the Chair of This Committee shall select a person.~~ The selected Convener must be a registered Democrat and pledge not to seek a DSCC seat nor an Executive Board position from that ADEM.

b. Locations

- (1) There shall be at least one ADEM location in each Assembly District.

- (2) Prior to the 2021 ADEMs and<sup>1</sup> prior to the first ADEMs after each decennial reapportionment is finalized, the Chair of This Committee shall publicize a list of Assembly Districts in which more than one ADEM location shall be established. In deciding which Assembly Districts shall have more than one location, the Chair shall consider whether there exists good cause to do so. For the purposes of this subsection, The Convener of the Election Meeting may request a variance from the date, time, and registration period duration of the Election Meeting as set out in Article VI, section 1.a.(1) to another date and time during the second weekend in January in odd-numbered years, or to allow for the holding of the Election Meeting simultaneously at more than one site in the Assembly District, or to modify the duration of the registration period, by filing an application with the State Chair by November 1, or next business day if the date falls on a state holiday or weekend, of the year preceding the holding of the Election Meeting showing good cause for such a variance. "Good cause" may include the necessity of traveling very long distances, traveling in heavy traffic through dense population centers, or traveling in hazardous weather conditions. The State Chair must reply by November 10, or next business day if the date falls on a state holiday or weekend. It is the intent of the Executive Board that the two weekends be utilized to spread the Election Meetings within a particular Region over the two different weekends. It is also the intent of the Executive Board that the provision for the simultaneous holding of more than one meeting is meant to apply primarily to the very large districts connected by often-closed mountain passes. Such decisions may be adjusted for each ADEM cycle, but will otherwise carry over from the previous ADEM cycle, until the finalization of the next reapportionment.
- (3) In consultation with the Regional Director(s) resident in the Assembly District and with other local interested persons appointed by the Chair, and consistent with paragraph (2) above, the Chair shall identify one or more appropriate locations in each Assembly District by November 15 of the year preceding the ADEM. The location selection shall be guided by criteria provided in the ADEM Procedures and shall be posted on the Party's website.
- (4) For the convenience of Democrats registered in geographically large Assembly Districts, The Chair of This Committee may designate one or more ADEM locations to serve more than one Assembly District, as long as each Assembly District is served by at least one location within that Assembly District.

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<sup>1</sup> The language "Prior to the 2021 ADEMs and" shall be deleted from these Bylaws upon the finalization of the reapportionment following the 2020 Census.

(5) Challenges on location decisions:

- (a) Any member of This Committee may challenge location decisions affecting the Assembly District in which they are registered to vote to the Compliance Review Commission by November 22 of the year preceding the scheduled ADEMs. Such filings may challenge decisions as to specific locations or as to the number of locations for a particular Assembly District.
  - (b) As to challenges concerning specific locations, such an appeal must contain an immediately available alternative to the selected location that also meets the location criteria in the ADEM Procedures at a similar cost. The Compliance Review Commission may, in its sole discretion, dismiss such a challenge if it does not contain the required information on an alternative location as to its availability and suitability.
  - (c) Notwithstanding any other language in these Bylaws, the Compliance Review Commission may follow an expedited schedule to make a decision by December 15, and the decision of the Compliance Review Commission on matters in this subsection shall be final.
- c. The Chair of This Committee, in consultation with the appropriate Regional Directors and the Conveners shall, no later than November 15 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, publicize on the Party's website ~~notify the Chair of This Committee and the Chair of each County Committee which lies wholly or in part in the district of the date, time, and place of the Election Meetings. Failure to do so by that date shall empower the Chair of This Committee to designate a new Convener who shall provide such notice no later than December 3 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend. The Chair of This Committee shall post this information on the Party's website.~~
- d. The Convener and the Chair of This Committee, as indicated below, shall make every reasonable effort to make known to all registered Democrats in the Assembly District of the date, time, place, and purpose of the Election Meeting, the rules for participation in the Election Meeting, and the filing deadlines and rules for candidates for delegate, by transmitting notice of the Election Meeting no later than December 21 of the year preceding the holding of the Election Meeting, or next business day if date falls on state holiday or weekend, to the following persons:
- (1) All members of This Committee residing in the District (to be notified by the Chair of This Committee).

- (2) All members of the County Committee residing in the District (if one or more counties lie wholly within the District, then the notice shall be transmitted to all members of those County Committees) (to be notified by the Convener, to the list of members to be obtained from the Chairs of any County Committees which lie wholly or in part within the Assembly District).
  - (3) All attendees of the previous Assembly District Election Meeting (to be notified by the Chair of This Committee).
- e. Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with Article XIII, sections 3, 5 and 6.
  - f. The Convener or the Convener's designee shall preside at the Election Meeting as chair, and ~~Convener shall be responsible for conducting the Election Meeting in conformance with the ADEM Procedures in effect at that time. forward a list of names, addresses, e-mail addresses, and phones of all persons attending the Election Meeting as participants to the Chair of This Committee within three days after the Election Meeting is held.~~
  - g. ~~In order to receive a ballot, e~~Each Election Meeting participant shall agree ~~be asked,~~ ~~on~~ via a form provided by the Secretary of This Committee, to allow the Party to use the contact information they submit as part of the registration process for outreach purposes. ~~indicate their willingness to assume an organizational responsibility for one or more precincts within the district or to assume another specified organizational responsibility for the Party. Copies of a list of the persons so expressing such willingness to assume responsibility and of the responsibility each person is agreed to assume shall be sent by the Convener to the Chair of This Committee and the Chair(s) of the appropriate County Committee(s).~~
  - h. The Rules Committee of This Committee shall promulgate ADEM Procedures governing the organization and conduct of the Election Meetings, ~~including the election of 14 delegates to This Committee as set forth in Article II, Section 5, and one representative to the Executive Board, as set forth in Article VII, Section 2(e), which Rules Procedures shall include; a process for applying as a candidate for delegate, including an opportunity to indicate a willingness to serve as Representative to the Executive Board if elected as provided in Section 1(j)(1) below for candidates for delegate and for candidates for Representative to the Executive Board,~~ a filing fee of \$30 (which may be waived due to hardship and such waiver shall be available as an option online and on all written forms) for candidates for delegate, a filing period of 30 days which shall start 60 days prior to the date of the first biennial Assembly District Election Meetings and end 30 days after the start of the filing period, and each provide for the posting of eligible candidate names (to be updated no less than once per week starting with the opening of the filing period) on the Party's website, along with statements by the candidates, with the proviso that such statements be no longer 2400 characters and shall not mention the name of any other candidate. Statements shall be published as submitted; no additions, corrections, or other edits shall be made

once submitted. Candidate may also provide a link to a video campaign statement as long as such statement does not mention the name of any other candidate.

i. Post-ADEM Procedures:

- (1) When the time for balloting has ended according to the ADEM Procedures, the Convener shall proceed to count the number of ballots (but not the votes) according to the ADEM Procedures. Upon conclusion of the election conducted pursuant to the previous paragraph, ~~the~~ Convener shall immediately transmit by telephone, fax or e-mail to the Chair of This Committee (or their designee) the number of ballots. ~~names and titles of those elected.~~ The ballot box shall be sealed with the voted ballots, blank ballots and all supporting materials, and delivered to one or more addresses designated by the Chair of This Committee.
- (2) Upon receipt of the ballot boxes, and after a process to verify participant eligibility is completed, The Chair of This Committee (or his designee) shall cause the eligible ballots to be counted and shall publicize the results on the CDP's website. The Chair shall then start the process of offering the position of Assembly District Representative to the State Executive Board to the appropriate persons as provided in subsection (j)(1) below. Upon acceptance of the position, those persons' names shall also be so publicized. ~~Within 72 hours of the conclusion of the election conducted pursuant to the previous paragraph, the Convener shall transmit to the Chair of This Committee various materials as detailed in the procedures governing the conduct of the Election Meeting, including but not limited to the sign in sheet listing the participants in the Election Meeting, the election results, the ballots, a copy of the list of the persons expressing willingness to assume district-level or other responsibilities and of the responsibility each person agreed to assume, and whatever dues are collected at the Election Meeting.~~
- 3) Failure by the Convener to return the materials referred to in the previous paragraph shall result in the withholding of that Convener's credential to, or ability to register for, any meeting of This Committee and its Executive Board for the remainder of the term, until such time as the Chair of This Committee certifies that the materials have been returned as required or upon the Chair's finding of good cause, waives same.

j. Assembly District Representatives to the State Executive Board:

- (1) An Assembly District Representative to the State Executive Board shall be chosen at each Assembly District Election Meeting as follows: after the results are finalized, ~~from among those persons who will be delegates (resident in the respective Assembly District) to the forthcoming biennial convention of This Committee by virtue of being a member of This~~

~~Committee pursuant to Article II, Section 2b, 2d, 2e; Article II, Section 3; or Article II, Section 5. In the event that no qualified candidate is elected at an Assembly District Election Meeting, then the highest vote-getting candidate from among those who both won a seat as a delegate and had indicated their willingness to serve as the Executive Board representative at the time of the filing of their candidate application (for the purpose of this paragraph, “E-Board Candidates”) for Assembly District Representative shall be provided the opportunity to serve as Executive Board Representative if that person so chooses. If that person declines to serve as Executive Board Representative, then the opportunity shall be offered to each E-Board candidate in the order of votes received. Any ties shall be resolved by methods provided in the ADEM Procedures. If all E-Board candidates decline the opportunity, then a caucus of those members of This Committee from the resident in the Assembly District as described above (except those elected by a county committee pursuant to Article II, section 4), shall meet at the next meeting of This Committee to elect an Assembly District Representative to the State Executive Board, who must be qualified under the same criteria as used for direct election at the Assembly District Election Meeting.~~

- (2) In the event that an Assembly District has not been represented at two successive meetings of the Executive Board, the Representative shall be subject to removal from the board upon notification of the Regional Director in whose region the Assembly District is contained.
- (3) In the event of a subsequent vacancy of the office of Assembly District Representative to the State Executive Board (either by operation of this subsection j(2) or otherwise), the Regional Director for the applicable Assembly District shall call a public meeting of the members of This Committee resident in the Assembly District, who shall fill the vacancy from among those persons enumerated in paragraph (1) of this subsection j. This meeting shall be called with at least 10 days notice to the members of This Committee resident in the Assembly District. For the purpose of this meeting only, a quorum shall be 5 (five) members of This Committee resident in the Assembly District. Once the vacancy is filled, the person who called the meeting to fill the vacancy shall notify, in writing, the State Chair of the Party of the selection made pursuant to this subdivision.

Part 2: revise Article XII, Section 2, (e), (1) to read:

All appeals of decisions of the Compliance Review Commission subject to appeal must be received by the Secretary of This Committee, with copies to the Chair of This Committee, within twelve (12) days of the decision of the Compliance Review Commission. Upon receipt of an appeal, the Secretary shall notify the members of the Compliance Review Commission, the Chair of This Committee, and the prevailing parties of the receipt of an appeal. All responses shall be filed with the Secretary of This Committee with copies to the Chair of This Committee, the

members of the Compliance Review Commission and the appellants, within 12 days of receipt of the appeal by the Secretary of This Committee.

Part 3: **STRIKE Article XIII, Section 9 a and b and substitute as follows:**

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 national delegate selection process,

(2) the voter's right to know how their representatives have voted.

b. Based upon Resolution of the DNC Rules Committee adopted on June 23, 1994 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 their personal and individual preference on an action that constitutes part of the delegate selection process for the Democratic National Convention.