

Draft As of 7/30/2020 2:45 pm

**Procedures for 2021
Assembly District Election Meetings
(Promulgated July 25, 2020 by CDP Rules Committee
Pursuant to CDP Bylaws Article VI Section 2)**

**Saturday, January 9 or Sunday, January 10, 2021
and
Saturday, January 23 or Sunday, January 24, 2021**

Introduction

The California Democratic Party ("CDP") Bylaws (Article VI) provide that an Assembly District Elections Meeting ("ADEM") shall be held in each of the 80 Assembly District in January of each odd-numbered year in order to elect representatives (referred to herein as "Assembly District delegates" or "ADDs") to the California Democratic Party State Central Committee (referred to in the Bylaws as "This Committee") and a representative to the CDP Executive Board (referred to herein as "E-Board representatives").

Further, the By-laws set out certain parameters standardizing how the elections are to be conducted, and provide, in Article VI Section 1(i), as follows:

"The Rules Committee of This Committee shall promulgate procedures governing the conduct of the Election Meeting, 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(c). ..."

These Procedures are intended to set out those rules and provide additional details on how the ADEMs are to be organized and conducted.

In these Procedures, *italics* are used to indicate rules that are specifically set out by the CDP By-laws. The current CDP By-Laws may be found online at www.cadem.org/our-party/by-laws. The relevant Bylaws are also included as Section IV of this document.

These Procedures are in general mandatory. ADEMs which violate these Procedures may be subject to challenge, which, especially where it can be shown that the rights of a participant or candidate was violated, could lead

to the results being voided in whole or in part, and the convening of a new ADEM.

NOTES:

These Procedures and certain amendments to the By-laws that add new language and are indicated by underline were adopted at the meeting of the CDP Executive Board Sunday, July 26, 2020. These Procedures are finalized according to those changes. If any of the amendments are not adopted then appropriate revisions shall be made to ensure that these Procedures are in conformance with the By-laws that will be in effect for the 2021 ADEMs. Note that for ease of understanding and readability, most deletions from the Bylaws are omitted.

These Procedures may be supplemented by CDP Staff in consultation with the CDP Chair and the Lead-Co-chairs of the Rules Committee or their designee(s).

Finally, these Procedures are split into four major sections.

- Section I provides a step-by-step guide on how the ADEMs are to be located, organized, and run, and how balloting, voter verification, and ballot counting shall be conducted.
- Section II provides information on eligibility for candidates and how the E-Board Representative is selected.
- Section III provides other information.
- Section IV provides the relevant provisions from the CDP By-laws.

Section I

The ADEMs, Balloting, Voter Verification, and Vote Counting

The Election Meeting

When

The biennial meeting to elect ADDs and E-Board representatives *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 in odd- numbered years, with such meeting beginning no earlier than 10 am nor begin later than 2 pm, with the time for registration to be open for a four-hour period.*

For 2021, the meeting dates will be Saturday, January 9 and Sunday, January 10, 2021 and Saturday, January 23 and Sunday, January 24, 2021.

It is the intent of the CDP E-Board that the two weekends be utilized to spread ADEMs within a particular region over the two different weekends.

Where

In general, [t]here shall be at least one ADEM location in each Assembly District. However, via a process set out in the By-laws, the Chair 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, "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 chair shall make these decisions in consultation with the Regional Director(s) responsible for the relevant Assembly District and with other interested parties appointed by the chair.

In addition to adding one or more additional locations to an Assembly District, the chair may designate a location as serving more than one Assembly District. In such locations, there will be separate check-ins, balloting area/room and balloting for each Assembly District served. (Regardless of the establishment of such dual-AD locations, the bylaws quoted above require that there be at least one location within every Assembly District.)

These decisions shall be made by November 15, 2020 and may be appealed to the Compliance Review Commission in a process set out in Article VI.

Non-Discrimination in Meeting Date and Time

Based on Article XIII, Section 1 which states:

"All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, color, creed, national origin, sex, age, religion, ethnic identity, sexual orientation, gender identity, persons with disabilities as defined by the Americans with Disabilities Act of 1990 or economic status. Accordingly, the scheduling of Democratic Party affairs at all levels shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected."

Thus, every effort should be made to avoid conflicts with weekly religious observances, including the Jewish Sabbath and Sunday morning church, depending on the Assembly District. Thus, scheduling the Election Meeting anytime on Saturday or on Sunday morning is discouraged and will be reviewed for compliance with Article XII, Section 2 of the CDP By-laws, which prohibits discrimination based upon religion or creed.

Criteria for Location Selection

The ADEM location should provide a reasonable balance between population centrality and geographic centrality; should, if possible, provide access to transit; and must fulfill the following characteristics:

- a. ADA compliance, including path of travel all the way from parking to registration and voting tables. Locations where stairs, regardless of elevator availability, are required to reach the registration and balloting area, should be avoided since elevators can fail.
- b. Sufficient room for queuing, preferably inside the building, but if necessary to include outside portions, such outdoor areas must be protected from the elements
- c. Sufficient parking, including sufficient ADA-compliant parking
- d. Sufficient room for registration tables, which may be dramatically increased in number

Robust cell service and preferably strong Wi-Fi service are strongly encouraged but not mandatory.

Who Runs the ADEM

The By-laws give responsibility for convening and running the meeting to a "Convener."

The Bylaws provide that the Convener "*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. The selected Convener must be (1) a registered Democrat and pledge (2) not to seek a DSCC seat from that ADEM.*"

The Responsibilities of the Convener

The Convener has four basic responsibilities:

- 1) Assist the Chair and CDP Staff in finding and securing a **location** for the Election Meeting
- 2) Assist the Chair and CDP Staff in sending **notice** regarding the Election Meeting

- 3) **Act as the person in charge at** the Election Meeting, or, if the Convener so chooses, **designate** any registered Democrat who is not standing as a candidate for ADD representative to assume these responsibilities for the Election Meeting. This includes overseeing check-in and balloting and enforcing these Procedures.
- 4) **Transmit** various information to the CDP after the Election Meeting is over

In addition, Conveners are encouraged to provide support for languages other than English that are commonly spoken in their Assembly District.

Notice of the ADEM

The Convener and the Chair of This Committee shall make every reasonable effort to make known to all registered Democrats in the 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 3 of the year preceding the holding of the Election Meeting.

The Notice of the ADEM must, at a minimum, be sent to:

- 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).*

Proof of compliance with the provisions of the preceding subsection shall create a rebuttable presumption of compliance with the notice requirements in the CDP By-laws.⁶ In addition, it is recommended that notice be sent, via press release, to at least one newspaper serving the area, and that e-mail notice on list serves known to be frequented by interested persons, be given with a link to the CDP website page noticing the meeting.

Running the ADEM

ADEMs serve one purpose: to elect the 14 ADDs and the AD E-Board representative. No other business or program is to be conducted. Given this, the business of the meeting is simple:

- 1) Facilitate check-in of participants
- 2) Provide a ballot to each checked-in participant

- 3) Collect Ballots into the ballot box
- 4) Publicly count the following:
 - a. number of ballots cast
 - b. number of spoiled ballots (if any)
 - c. number of hand-filled registration forms (if any)
 - d. number of voter registration affidavits (if any)
- 5) Fill out a form that accurately reflects the number of items in number 4
- 6) Publicly seal the ballot box
- 7) Deliver the ballot box to an approved shipper for delivery to a designated CDP office

Electioneering

The Convener shall also be in charge of taking reasonable steps to enforce the electioneering rules, which prohibit campaign activity inside the room where the check-in and balloting activities take place, or if there is no "room" than electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.

Check-in Process

Each person wishing to participate must be eligible and must check-in through the ADEM registration system.

Eligibility: Each person wishing to cast a ballot must be a registered Democrat residing in the relevant Assembly District and who has completed the registration process.

NOTE: there are NO other qualifications for participation. No voter registration checks or challenges to eligibility shall occur at the ADEM itself. If a person wishing to participate is unsure of their registration status, they may fill out, sign, and submit a new voter registration affidavit, which must be submitted at the time check in by either a hard copy VR form provided by the ADEM registration volunteer or by the participant showing proof of their registration on line through their mobile device.

Participant Registration

All participants must be registered in the ADEM registration system in order to receive a ballot. This registration system essentially consists of an online form for each participant to fill out and register. Those who are unable or unwilling to use the online registration system can fill out a registration form at the ADEM.

The online form will ask for enough information to later verify the participant's eligibility and if necessary to contact the participant by email if the participant's eligibility cannot be confirmed by the information submitted. After completing the online form, the system will generate an

identification code that must be presented at registration. That online code will be entered directly onto the ballot, allowing post-ADEM eligibility checks.

The online form can be filled out via a smart phone or desktop computer prior to the ADEM. Alternatively, a participant may fill out the form on their smart phone while waiting in line at the ADEM (assuming there is sufficient cell service to allow this function).

For those who do not want to or cannot use the online registration system (either prior to or at the ADEM), paper forms may be used onsite instead. Upon completion of the form, the registrar shall assign a registration number to the participant and that number must be entered on the form the participant filled out and on the ballot. If the form is so illegible that the participant's eligibility cannot be determined, then that participant's ballot will be rejected during the post-ADEM verification process.

NOTE: that no personally identifiable information (name, phone number, email address, etc.) will be entered onto the ballot itself. The unique registration number is used to eliminate ballots of participants who are later found to be ineligible. In addition, the information that is collected from the registration process will be used for CDP outreach purposes (and a disclaimer to that effect will be included on the form).]

Ballots

The CDP will provide an adequate supply of machine-readable ballots. The ballots shall contain the names of all qualified candidates (sorted by gender), a place to enter a unique registration identifying number, and shall indicate which candidates have agreed to serve as representative to the executive Board if they are offered the position under the Bylaws.

Balloting

Once a participant has properly registered, they will be issued a ballot marked with the participant's unique registration number. Upon receiving the ballot, the participant may mark their choices to vote for up to 14 candidates (regardless of gender), ensure that their unique registration number is entered on the ballot, and deposit it into the ballot box. The ballot box shall be monitored at all times to prevent tampering.

If a participant needs assistance in marking their ballot, such assistance may be rendered by any person of the participant's choosing, except that no candidate may provide such assistance.

At the designated time to close registration, the Convener shall announce that registration is closing. If any people seeking to vote remain in the line, the Convener shall cause a volunteer to stand at the end of the line. No person arriving after that time shall be allowed to check in, but all persons

in line at the time of the close of registration shall be allowed to check in. Upon the close of registration or when the last person in line at the close of registration has checked in (whichever is later), the Convener shall announce that check in has been completed and that balloting will be closed in five minutes. Upon the expiration of that five minutes, the convener shall announce that balloting is closed.

Post-Balloting Procedures

Upon the close of balloting, the convener shall publicly and at a location visible to as many people as possible remove the ballots from the ballot box and shall cause (by a method promulgated by CDP staff) number of ballots to be counted. No person shall handle the ballots except the Convener and/or their designee(s). No ballot counter shall be a candidate for ADD. The number of spoiled ballots, hand-filled registration forms, new voter registration affidavits shall also be counted.

Once the ballots, spoiled ballots, hand-filled registration forms, and registration affidavits have been counted, the form provided by the CDP shall be filled out with the information requested on the form, a photo shall be taken of the form, and the form, the voted ballots, any hand-filled registration forms, any voter registration affidavits, and any extra materials shall be placed back into the box. The photo of the form shall be transmitted via email to the CDP via an email address provided by the CDP. The CDP shall post an image of the form on the CDP website.

The box shall be sealed and the Convener and at least one other person shall deliver the ballot box to a designated shipper for delivery to a designated CDP office. Note: in those locations (if any) serving more than one Assembly District, each AD will have its own ballot box.

Post-Meeting Transmittal of Materials:

After the meeting is over, the Convener shall immediately transmit to a designated office of the CDP the ballot box containing the cast ballots and other materials as described in the previous section.

Voter Verification

The system of registration, voting and verification is designed to:

- 1) Preserve the confidentiality of a participant's ballot to the greatest extent possible while
- 2) Providing a system whereby each participant's eligibility to vote may be confirmed.

Upon receipt of each ballot box, CDP staff will do the following:

- 1) Store the box in a secure location
- 2) Open the box and remove the material
- 3) Scan all the ballots into individual PDFs – each scanned PDF ballot shall be able to be identified by the voter by their unique identifying number, to the extent technology allows.
- 4) Cause to be entered into the online registration system any hand-filled forms that were not already entered
- 5) Cause the list of participants to be checked against voter registration records.
 - a. If a participant's information matches a voter record and confirms that the participant was eligible to vote, that participant's ballot shall be counted
 - b. If a participant filed a new voter registration affidavit as a Democrat as part of the check-in process, that address will be checked for eligibility in the relevant Assembly District.
 - i. If the address is eligible the ballot will be counted
 - ii. If the address is not eligible the ballot will not be counted
 - c. For all other participants, if a participant's information cannot be matched to an eligible voter record based on the information that the participant provided, then:
 - i. The participant shall be sent an email stating that their status could not be confirmed and provided instructions on providing information to confirm their eligibility. (For example, correcting an address or the spelling of the participant's name as registered.) Such participants shall have no less than 72 hours to provide this information to the CDP. NOTE: that the participant shall NOT be permitted to update their actual voter registration status at this point in the process, but must demonstrate that they were actually eligible to participate in their ADEM on the date of the ADEM.
 - ii. If a participant so contacted provides information that confirms their eligibility to vote in the relevant ADEM, then their ballot shall be counted.
 - iii. If a participant (a) could not be contacted because they did not provide a valid email address, (b) does not respond to the email sent by the CDP, or (c) responds but the information does not, in the CDP staff's opinion, confirm their eligibility, then their ballot shall not be counted.
- 6) To the extent technologically feasible, shall provide a system so that each participant may check the status of their ballot without compromising the confidentiality of the ballots.
- 7) All paper materials shall be securely preserved for 6 months after the date of the last ADEM in each cycle.

Vote Counting

After the verification process is completed, CDP staff shall, in a public process, machine count the eligible ballots. If any result that could affect a candidate's election as an ADD or as the AD E-Board representative is found to be closer than 2%, the process shall be repeated for that ADEM. The results will be promptly posted on the CDP website.

Representative to Executive Board: As provided in the Bylaws, the position of AD Representative to the Executive Board shall be offered to the highest-finishing ADD who had indicated their willingness to serve if elected at the time of their application for ADD. CDP Staff shall follow the procedure outlined in the Bylaws, including the process to be followed if the person offered the position declines it.

Section II

Candidate Eligibility and Selection of E-Board Representative

Who May Run for Assembly District Delegate to the California Democratic State Central Committee (DSCC) and How to Apply

The qualifications for running for Assembly District Delegate (ADD) to the California State Central Committee are the same as those for participating in the ADEM, with four important caveats: **1)** the candidate must file their application to the CDP during a filing period that starts 30 days prior to the first ADEM and ends 30 days later, so that they can be checked for eligibility, **2)** the candidate must pay a \$30 filing fee to the CDP (which will be waived if the candidate declares a hardship); and **3)** the candidate must be registered to vote as a Democrat in the Assembly District in which they are applying to run as of the preceding general election (for 2021, November 3, 2020), unless the candidate turned 18 or was naturalized after that deadline, and is registered to vote at the time of candidacy filing; and **4)** a candidate does not need to be present to be eligible for election. Prospective candidates should use the form on the CDP website to apply to be a candidate.

For 2021, the filing period will open on Tuesday, November 10, 2020 and close at 5 pm on Thursday, December 10, 2020.

Candidates should confirm receipt of filing prior to the deadline. The CDP will not be responsible for failed, delayed, unreadable, or corrupted filings whether by hardcopy delivery or electronic filings such as faxes or emails.

Requirements to Run for Assembly District Representative to the Executive Board

As provided in Section 1(j), the position of AD Representative to the Executive Board shall be offered to the highest-finishing ADD who had indicated their willingness to serve if elected at the time of their application for ADD. The form by which a candidate shall file for ADD shall include a place to indicate that the candidate would serve the E-Board representative if selected. As the bylaws provide, *[i]f 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 resident in the Assembly District (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.*

Publicity of candidacy on CDP Website

The CDP shall post eligible delegate (ADD) 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 than 2400 characters (about 416 word including spaces) and shall not mention the name of any other candidate. **NOTE:** Statements shall be otherwise published as submitted; no additions, corrections, or other edits shall be made once submitted.

Further, as Section 1(h) now provides, *"Candidates may also provide a link to a video campaign statement as long as such statement does not mention the name of any other candidate."* This video statement may be posted to the service of the candidate's choice.

Section III

Other Information

Additional Information for Conveners

The Democratic Party office in Sacramento will be open (at 10AM) to answer all questions through the CDP Office phone line - 916.442.5707

In addition to the information above, Conveners should follow the these Procedures to ensure a successful meeting:

A. ADEM registration, check-in and balloting must be open for at least four hours after the time called for in the notice of the meeting. All publicity

should state that doors open at the time called for in the notice of the meeting (earlier if needed, especially in big turnout venues).

B. The Convener should ensure that the CDP is informed of the name of the building, room number, address, accurate intersection details and directions, and an on-site phone number. Further, the CDP should be given the names and mobile numbers of the Convener and their deputies.

C. The Convener must ensure that the ADEM site is available and open by time called for in the notice of the meeting (set-up should start at least one hour before doors are to open). No one will be allowed to vote in the ADEM who has not arrived by four hours after the time when registration and check-in opens, which can be no earlier than the time called for in the notice of the meeting. (People standing in line to get in at that time are considered to have arrived in time);

D. The CDP will provide the following materials:

- 1) Machine readable ballots with eligible candidates' names pre-printed on the ballots.
- 2) Sufficient pens or pencils to mark the ballots
- 3) Blank ADEM registration forms
- 4) Voter registration affidavits
- 5) Form for reporting the number of ballots voted, registration forms received, and voter registration affidavits received
- 6) A ballot box (more than one where the location serves more than one Assembly District)
- 7) Signage explaining the process and the link for the online registration form (including that filling out the registration form and obtaining a unique registration form is mandatory to be able to receive and cast a ballot)
- 8) Signage prohibiting electioneering within the room where the check-in and balloting processes are taking place. (If there is no "room" then electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.)
- 9) Materials to seal the box
- 10) Information about how to return the ballot box(es) to the CDP

E. The Convener should ensure that there are adequate tables and chairs to run the check-in and balloting processes and that there are adequate volunteers (the CDP will assist with this)

F. The Convener or their designee (not a candidate for ADD) should oversee the check-in process. With regard to this process, **NOTE:** that there are no challenges to registration. Each participant must either provide their unique registration number (generated through the online system) or receive one after filling out by hand the registration form.

G. At the time designated for the close of registration, all persons not yet registered wishing to be participants and who are standing in line at that time shall be allowed to check-in. Registration shall not be closed until all such persons have been registered or found to be ineligible. However, persons who are not standing in line at the time of the close of registration shall not be allowed to register and receive a ballot.

H. The Convener should appoint three or more individuals to serve as witnesses to the counting of ballots cast at the ADEM. All counters must be registered Democrats. Neither the Meeting Chair (Convener) nor any of such witnesses shall be ADD or E-Board Representative candidates. Each of the witnesses shall sign an affidavit attesting to the results of the voting

I. Immediately following the close of balloting of the ADEM, the Convener shall follow the Post-Balloting Procedures in Section I above.

J: A few reminders about balloting

- 1) Upon receipt of the ballot, a participant may vote for between 1 and 14 candidates. Voting for more than 14 candidates will invalidate the ballot.
- 2) A participant may distribute their votes among genders as they wish, as long as they do not vote for more than 14 candidates in total.
- 3) If a mistake is made that cannot be corrected, the participant should ask for a replacement ballot. The previously marked ballot should have the word "SPOILED" written across it and placed in the ballot box. The participant's same unique identification number should be entered on the replacement ballot.
- 4) There is no proxy voting.
- 5) Once a participant receives their ballot, they may vote and leave.

K: Challenges to Participants: **There are NO challenges to participants.** Anyone who believe they are eligible may check in and vote. ALL ballots will be verified for eligibility prior to counting.

L: A few other notes:

1. Sometimes an ADEM site is open, but someone forgets to bring the keys to the bathrooms or there is no toilet paper. Be sure to get the contact information including cell phone for the person in charge of the site (such as an office manager, facilities manager or janitor working the day of the ADEM).

2. All ADEMs are open to the public and the media.
3. Electioneering: Candidates for ADD can hand out literature (e.g., flyers, slate cards) at the ADEM. Candidate or slates may set information tables, food tables, etc. However, no such activity, including talking to voters in line, may occur inside the room where the check-in and balloting activity is taking place. (If there is no "room" than electioneering shall be prohibited within 100 feet of the tables where the check-in and balloting processes are taking place.) Conveners should have signage indicating where electioneering is prohibited.
4. There may be an ADEM with a person(s) who shows up claiming that they filed as a candidate before the deadline but their name is not listed on the ballot. It is too late to be added, and they were required to check with the CDP to confirm their candidacy during the candidate filing period between November 10 and December 10, 2020.
5. The Co-Lead Chairs of the Rules Committee of This Committee may make amendments to these Procedures to conform to changes in the CDP By-laws that occur prior to the ADEMs.

Questions and Answers:

- Must candidates be present at the ADEM?
 - No.
- Can participants register or reregister to vote at the ADEM?
 - Yes. Simply fill out a voter registration affidavit and turn it in to the registrar.
- Are ballots secret or open?
 - Ballots are confidential. No personally identifiable markings are placed on the ballot. The unique identifier placed on each ballot is used in the post-balloting voter verification process. If a voter was found to be ineligible to participate during that process and was not able to demonstrate eligibility during the "cure" process, the identifier will be used to exclude the ineligible participant's ballot
- May a participant request assistance in marking their ballot?
 - Yes. If a participant needs assistance in marking their ballot, such assistance may be rendered by any person of the participant's choosing, except that no candidate may provide such assistance.

Section IV

Bylaws applicable to the ADEMs, showing changes to be considered/adopted on July 26, 2020

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

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 and¹ 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

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

~~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.
- (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, eEach 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(c), 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 Convenor 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 Convenor 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 Convenor 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.

