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April 10, 1998

Eugene Bull, Esq.
Enforcement Division
Office of the General Counsel
Federal Election Commission
Washington, DC 20463

Re: MURs 4389/4652
Orange County Democratic Central Committee and
Edward R. Haskett, as treasurer

Dear Mr. Bull:

I am writing on behalf of the Orange County Democratic Central Committee to request an extension of time of 30 days, up to and including May 6, 1998, in which to respond to the General Counsel's brief recommending a finding of probable cause in the above-entitled matter. Although Mr. Noble's cover letter was dated March 18, 1998, the letter and accompanying brief was not received by our firm until April 6, 1998. I am in the midst of several other pressing litigation matters at this time, and need the requested extension to discuss this matter with my client and to prepare an appropriate response. Please let me know as soon as possible whether my request has been granted.

In addition, I would like to request that you immediately send me a copy of MURs 2602 and 3585, as well as AO 1992-29, which are referenced in the General Counsel's Brief. I believe I had previously requested these Commission precedents, but have not received them to date. They are needed in preparing the Committee's response.

Finally, the General Counsel's brief indicates that the Committee had "failed to avail itself of the opportunity to provide the Commission with a copy of its by-laws, despite multiple requests by the General Counsel's Office." I am informed that the Committee had sent you a copy of the By-Laws some time ago, at my request. Nevertheless, in the event you did not receive that copy, another one is enclosed herewith; I believe you had previously been cited to various provisions of the By-Laws confirming Mr. Toledano's lack of authority for the actions he apparently undertook in this matter, although I could find no such references mentioned in the General Counsel's brief.

Sincerely,

Fredric D. Woocher

Fredric D. Woocher

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Final Draft 7/17/95

**BYLAWS OF THE
ORANGE COUNTY
DEMOCRATIC CENTRAL
COMMITTEE**

**Adopted for Approval
by the
Bylaws/Rules Committee
June 5, 1995**

**First Central Committee Reading
June 19, 1995**

**Adopted by the Full Committee
July 17, 1995**

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BYLAWS OF THE ORANGE COUNTY DEMOCRATIC CENTRAL COMMITTEE

Article I. Name, Purpose and Governance

Section 1. Name

The name of this organization shall be the Orange County Democratic Central Committee, hereafter called the County Committee.

Section 2. Purpose

The County Committee shall have charge of the party campaign in Orange County and shall perform such duties and services as benefit the Democratic Party.

Section 3. Governance

These bylaws shall govern the organization, operation, and functions of the County Committee. Legal authority is vested in these bylaws and governed by the California Election Code and by the California Democratic Party, hereafter called CDP.

Article II. Membership and Duties

Section 1. Elected Members

A. Elected members shall be registered Democrats elected from Assembly Districts at the Direct Primary election in each even numbered year and shall consist of six members elected from each Assembly District. Each member shall reside in the district he/she represents and shall be elected at-large within his/her Assembly District.

B. Elected members shall have all the rights and privileges enumerated in the bylaws.

C. Any vacancies shall be filled as provided for in this Article, Section 8 of these bylaws.

D. An elected member is entitled to a ballot designation of "Incumbent" upon seeking re-election to the County Committee at the next Direct Primary election.

Section 2. Appointed Members

A. Appointed members derive their membership through appointment to a seat vacated by an elected member, as provided for in this Article, Section 8.

B. An appointed member shall have all the rights and privileges of an elected member, except an appointed member shall not be entitled to a ballot designation of "Incumbent" upon seeking election to the County Committee at the next Direct Primary election, but is entitled to a ballot designation of "Appointed Incumbent".

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29 **Section 3. Ex-Officio Members**

30 A. Any Democratic nominee for, and any Democrat elected to either the State Senate,
31 Assembly, or House of Representatives, at either a general or special election, whose district lies
32 wholly or partially within the County of Orange, is an ex-officio member of the County Committee.

33 B. The Democratic nominee for each of the following offices shall be an ex-officio member of
34 the County Committee if he/she resides in the County of Orange:

- 35 (1) Governor
- 36 (2) Lt. Governor
- 37 (3) Secretary of State
- 38 (4) Controller
- 39 (5) Treasurer
- 40 (6) Attorney General
- 41 (7) State Board of Equalization
- 42 (8) U.S. Senator
- 43 (9) Superintendent of Public Instruction
- 44 (10) Insurance Commissioner

45 C. Regional Director/s of the CDP for Orange County shall be ex-officio member/s.

46 D. Ex-officio members shall be entitled to all the rights and privileges of other members, except
47 ex-officio members are not entitled to a ballot designation of "Incumbent" upon seeking election
48 to the County Committee at the next Direct Primary election.

49 **Section 4. Alternates**

50 A. Each member of the County Committee is entitled to designate an alternate. Such
51 designation shall be in writing and filed with the Secretary of the County Committee. The alternate
52 will take the oath of office required by members, either orally or in writing.

53 B. Each alternate shall pay dues and meet the same qualifications as the County Committee
54 member appointing him/her and shall be subject to the same rules, regulations and responsibilities
55 of the County Committee.

56 C. An alternate shall have a voice and motion at all regular and special County Committee
57 meetings and shall be entitled to vote in the absence of the member who appointed the alternate,
58 except that no alternate may vote to elect the officers of the County Committee at the biennial
59 organizational meeting.

60 D. An alternate may hold membership on any Standing or Special Committee.

61 E. An alternate may not hold an office of the County Committee designated in Article IV, nor
62 may an alternate be elected by the County Committee to the Democratic State Executive Board,
63 as provided for in Article XI.

64 F. The alternata shall be counted for purpose of a quorum at County Committee meetings, only
65 when the member for whom he/she is the alternate is absent.

66 G. The term of an alternate shall be the same as the member designating him/her, except that
67 such member may remove the alternate at any time by written notice to the Secretary, provided
68 that such notice be received by the Secretary at least two business days in advance of the regular,
69 special or sub-committee meeting for which it is to be effective.

70 H. The office of an alternate may be declared or become vacant in the manner provided in
71 Sections 6 and 7 of this Article, except that Section 6 B does not apply to alternates.

72 **Section 5. Associates**

73 A. There are two types of associates: Any member of the Democratic National Committee
74 who resides in Orange County; and, An appointed or elected representative from each Orange
75 County Democratic Club that is chartered by the County Committee as provided in these bylaws
76 after written notification to the County Committee of the name of its representative.

77 B. Associates shall have a voice at all regular, standing and special committee meetings, but
78 shall not be entitled to vote.

- 79 C. The office of an associate may be declared or become vacant in the manner provided in
0 Sections 6 and 7 of this Article, except that Section 6 B does not apply to associates.
J1 D. An associate is not entitled to appoint an alternate.

82 **Section 6. Removal**

- 83 A. The office of any member, alternate or associate, may be declared vacant, by resolution of
84 the County Committee if any member, alternate or associate, affiliates with or registers as a
85 member of another party, publicly advocates that voters not vote for an endorsed nominee of the
86 Democratic Party, gives support or avows a preference for a candidate of another party or a
87 candidate who is opposed to a candidate nominated and endorsed by this party.
88 B. Any member, except an ex-officio or associate, shall be deemed to have resigned his/her
89 office if three consecutive regular meetings or five meetings in total are missed during his/her term,
90 unless such member is unable to attend for medical reasons or absence from the County and such
91 absence is supported by a written explanation provided to the Secretary.
92 C. The attendance of an alternate in the absence of a member does not fulfill the member's
93 attendance requirements under 6 B of this Article.
94 D. The office of any member shall be deemed vacant if that member dies, resigns, is removed
95 or becomes ineligible or is disqualified.

96 **Section 7. Procedure for Removal**

- 97 A. No member, alternate or associate, may be removed from the County Committee pursuant
98 to Section 6 A of this Article unless said removal is listed as an agenda item in the meeting notice
99 sent out by the Secretary pursuant to Article V, Section 3. The County Committee Chair shall
100 provide the member at least ten days written notice that such action shall be taken at the next
1 meeting and shall provide that the member have an opportunity to be heard at that meeting.
J2 B. In the event of removal of any member, alternate or associate, the Secretary shall direct a
103 letter to such member at his/her last known address advising him/her of the action taken by the
104 County Committee.

105 **Section 8. Appointment to Vacant Seat**

- 106 A. If the office of any member, other than an ex-officio member, is declared vacant, the Chair
107 shall inform the County Committee of the vacancy at the next regularly scheduled meeting and
108 take nominations to fill the vacancy. Further nominations and the election shall take place at the
109 subsequent meeting.
110 B. Any Democrat residing in the Assembly District of the vacated seat is eligible to fill the
111 vacancy and all members of the County Committee shall vote to fill the vacancy.

112 **Article III. Duties of Elected, Appointed and Ex-Officio Members**

113 **Section 1. Duties**

- 114 A. Members shall elect County Committee officers, representatives to the CDP, and a
115 representative from each Assembly District to the County Committee Executive Committee.
116 B. Members shall maintain regular attendance at County Committee meetings, or provide
117 written reasons, as specified in Article II, Section 6 B.
118 C. Members shall appoint an alternate and inform the Secretary and their alternate when they
119 are unable to attend a meeting, but the attendance of an alternate does not excuse the member's
120 absence, as specified in Article II, Section 6 C.
1 D. Members shall pay annual dues, as specified in Article XVI, Section 1, and Article XIV.
122 Section 3, and shall notify their alternate of the dues requirement.
123 E. County Committee members shall serve on one or more Standing or Special Committees.
124 F. Members shall attend Assembly District Committee meetings and chartered Democratic club
125 meetings in their Assembly District area and should:

- (1) Serve as a liaison with their ADC and any chartered Democratic clubs and report activities to the County Committee and to the Communications Chair.
- (2) Coordinate and assist with year-round voter registration through the Voter Registration Chair.
- (3) Encourage and help qualified Democrats to run for legislative positions and public offices and notify the Candidate Recruitment and Services Chair of vacancies in local offices and of potential candidates.

Article IV. Officers

Section 1. Committee Officers

The officers of the County Committee shall consist of the following:

- (1) Chair
- (2) Vice Chair
- (3) Secretary
- (4) Treasurer

Section 2. Election of Officers

- A. The Chair, Vice Chair, Secretary and Treasurer shall be elected by a vote of the majority of the membership at the biennial organizational meeting of the County Committee. Candidates must be elected members, appointed members or ex-officio members.
- B. The nomination and election of officers shall be by elected, appointed and ex-officio members.
- C. The immediate preceding Chair of the County Committee shall be the temporary Chair until the election of a new Chair. If the immediate preceding Chair is unavailable, unwilling or a candidate for re-election, a temporary Chair shall be elected from County Committee members.

Section 3. Removal of Officers

The office of any officer may be declared vacant in the following instances only:

- (1) If such officer submits his/her resignation, either orally at a regularly scheduled meeting or in writing to the Secretary or the Chair.
- (2) If such officer is removed from office by resolution of the County Committee.
- (3) If such officer is elected to another office of the County Committee.

Section 4. Procedure for Removal

Any officer of the County Committee may be removed by resolution of the County Committee in the following manner:

- (1) When at least three elected, appointed or ex-officio members give notice to all members, of their intention to propose removal of an officer, at least ten (10) days in advance of a regularly scheduled meeting.
- (2) At the next regularly scheduled meeting, following a vote to remove the officer by two-thirds (2/3) of the members present and voting, the office shall be declared vacant.

Section 5. Appointment of Vacant Office

If the office of any officer becomes or is declared vacant, his/her successor shall be elected from elected, appointed and ex-officio members at the next regularly scheduled meeting.

167 **Section 6. Limitation of Terms of Office**

8 There shall be no limitation on the number of terms an officer may serve.

169 **Article V. Duties of Officers and Appointed Positions**

170 **Section 1. Chair**

- 171 A. The Chair shall preside at all meetings of the County Committee and the EC.
172 B. The Chair shall report all significant actions taken in the name of the County Committee and
173 of the Orange County Democratic Party, and the actions of the EC, particularly decisions regarding
174 expenditures on behalf of campaigns and candidates at every meeting of the County Committee.
175 C. The Chair shall appoint the Chairs of all Standing Committees, the Sergeant-At-Arms, the
176 Parliamentarian, and the Historian within sixty (60) days of taking office.
177 D. The Chair shall appoint Chair(s) of Special Committee(s) as he/she deems appropriate.
178 E. The Chair shall present for approval to the County Committee, within sixty (60) days of
179 taking office, a two-year program outlining goals including a preliminary budget, with the principal
180 activities and projects designed and scheduled to accomplish those goals.
181 F. The Chair shall act as Executive Officer and shall perform such other functions as these
182 bylaws prescribe.
183 G. The Chair shall require the County Committee to maintain liability insurance for the activities
184 of the County Committee.
185 H. The Chair shall be an ex-officio member of every Standing and Special committee.

186 **Section 2. Vice Chair**

- 187 A. The Vice Chair shall perform the duties of the Chair during the Chair's absence, or when
188 necessary to vacate the Chair under Robert's Rules of Order.
189 B. The Vice Chair shall be an ex-officio member of every Standing and Special committee.
190 C. The Vice Chair shall assist the Chair to perform his/her duties as they both shall agree.

191 **Section 3. Secretary**

- 192 A. The Secretary shall keep, or cause to be kept, true and accurate minutes and attendance
193 records of all County Committee meetings.
194 B. The Secretary shall maintain an updated membership list of County Committee members,
195 inform the CDP of changes within ten days of notification of the change and shall have present
196 a card bearing the true signature of each member and alternate at all meetings of the County
197 Committee.
198 C. With respect to signatures offered in support of a resolution, the Secretary or a member
199 acting on behalf of the Secretary who is not a signatory supporting a resolution, shall use the
200 signature cards to establish the authority of the signatures submitted.
201 D. The Secretary shall give notice to all members of the time, place and agenda of each
202 County Committee meeting, whether regular or special, at least three days before it shall be held.
203 The notice shall include copies of resolutions scheduled for discussion and a copy of the proposed
204 minutes of the last regular or special meeting.
205 E. The Secretary shall maintain records of attendance of County Committee representatives
206 to the CDP Executive Board and CDP Conventions.
207 F. The Secretary shall keep copies of absence requests from members and shall notify a
208 member who has been absent from three consecutive regular meetings or absent from five regular
209 meetings, without written excuses, or other reasons, that his/her office has been deemed vacated
0 pursuant to Article II, Section 6.

211 **Section 4. Treasurer**

- 212 A. The Treasurer shall receive, deposit in a financial institution approved by the County
213 Committee, and safeguard all funds of the County Committee.
214 B. The Treasurer shall disburse such funds in accordance with resolutions of the County
215 Committee and shall keep a true and accurate accounting of receipts and disbursal.
216 C. In conjunction with the Chair, the Treasurer shall develop a preliminary budget reflecting
217 the two-year program plan proposed by the Chair within sixty (60) days of taking office.
218 D. The Treasurer shall provide the following:
219 (1) A biennial operations budget, projecting sources of income and operating expenses
220 including liability insurance that detail the ordinary business costs for the County
221 Committee and its headquarters operations, shall be presented to the Executive Committee
222 within sixty days (60) after the biennial organizational meeting. Upon approval by the EC,
223 it shall be presented to the members for adoption at the next regularly scheduled meeting.
224 (2) A Treasurer's report at regularly scheduled meetings.
225 (3) Reports prepared and filed as required by federal, state and county regulations.
226 (4) An annual audit to be presented to the County Committee within sixty (60) days
227 following the end of the fiscal year.
228 E. The Treasurer shall be an ex-officio member of the Finance Committee.

229 **Section 5. Sergeant-At-Arms**

- 230 The Sergeant-At-Arms shall maintain order and may expel any member who is determined by the
231 Chair to be out of order.

232 **Section 6. Parliamentarian**

- 233 A. The Parliamentarian, upon request of the Chair, shall advise the Chair and members of the
234 County Committee as to the proper procedures for the conduct of meetings, relying upon these
235 bylaws, the State Election Code, CDP bylaws and Robert's Rules of Order.
236 B. The Parliamentarian shall be available to the Chair during Executive Committee and County
237 Committee meetings.

238 **Section 7. Historian**

- 239 The Historian shall maintain a historical record of the County Committee membership, officers and
240 special events.

241 **Article VI. Executive Committee**

242 **Section 1. Membership**

- 243 The Executive Committee, hereafter called EC, shall consist of:
244 (1) County Committee officers, as listed in Article IV, Section 1.
245 (2) One member from each Assembly District chosen by the elected, appointed and ex-
246 officio members of each District at the biennial organizational meeting of the County
247 Committee.
248 (3) The Orange County Regional Director/s.
249 (4) The Chair may invite the chairs of Standing Committees or others to make reports
250 or present projects for EC consideration.
251 (5) Other County Committee members may attend EC meetings, but may not participate
252 in the discussion without an invitation by EC members.

253 **Section 2. Duties of the Executive Committee**

- 254 A. The EC shall conduct the County Committee business between regular meetings.

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- 255 B. Specific duties include:
6 (1) Meet regularly, at least seven (7) days in advance of County Committee regular
257 meetings, as stated in Article IX, Section 1 D.
258 (2) Make recommendations and schedule resolutions and other actions to be voted upon
259 at County Committee meetings.
260 (3) Receive and act upon requests from County Committee members as to actions
261 needed, proposed programs or projects.
262 (4) Advise Chair as to items to be included on County Committee meeting agenda.
263 (5) Hear reports from AD Representatives as to programs, voter registration and fund-
264 raising activities in their districts in order to maintain a master calendar.

265 **Section 3. Removal of Assembly District Representatives**

- 266 A. Assembly District representative members who miss two consecutive meetings without
267 written notice shall automatically be removed from EC membership.
268 B. The Secretary shall send a letter to such member at his/her last known address advising the
269 member of said removal.
270 C. A new representative shall be elected at the subsequent County Committee meeting by the
271 AD members representing the district in which the vacancy occurred.

272 **Article VII. Budget and Finance**

273 **Section 1. Budget**

- 274 A. A proposed biennial budget shall be prepared by the Treasurer as described in Article V,
275 Section 4, D, reviewed by the Finance Committee, Article XII, Section 6, C, and presented to the
276 EC within sixty days (60) after the biennial organizational meeting.
277 B. Upon adoption by the EC and County Committee, the budget shall constitute the
278 Treasurer's authority to make disbursement in accordance therewith.

279 **Section 2. Income**

- 280 A. All funds obtained in the name of the County Committee, including memberships,
281 donations, grants, income-producing activities of County Committees, and other income, shall be
282 deposited by the Treasurer in the general fund account or in appropriately designated accounts
283 authorized by the EC.
284 B. All funds shall be maintained in federally-insured banks and/or credit unions.

285 **Section 3. Expenditures**

- 286 A. Expenditures shall be made from County Committee funds as provided for by the authorized
287 budget or by specific authorizations of the EC or the County Committee.
288 B. All appropriations, bills and financial obligations shall be presented to the Treasurer, who
289 shall pay all budgeted obligations without further authorization. The Treasurer shall report all such
290 expenditures at the next meeting of the EC and the County Committee as part of the his/her report.
291 C. Upon authorization by the EC or the County Committee, separate operating accounts may
292 be established on a time-limited basis for significant County Committee projects, events or
293 activities, subject to the control and audit of the Treasurer. Such funds of authorized committees,
294 events or activities shall be paid at the direction of the responsible Chair. Any checks written on
295 any separate operating accounts shall be signed by two authorized committee members. Any
296 unused funds shall be returned to the general fund upon completion of the authorized activity.
297 D. The Chair, Vice-Chair, Secretary and Treasurer are authorized to sign checks on any
298 account carried in the name of the County Committee, provided the expenditure has been duly
299 authorized. Any County Committee checks must be signed by at least two officers.
300 E. No member of the County Committee may make any financial commitment involving the
301 expenditure of funds, other than authorized herein, unless such person has been so authorized by

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302 a motion passed by the EC or County Committee. Violation of this provision may constitute
303 grounds for termination of membership.

304 Article VIII. Chartering Procedures

305 Section 1. Chartering Requirements

- 306 A. Any organization, other than a Democratic Assembly District Committee, conducting
307 business for or under the name of the Democratic Party in the County of Orange, shall be chartered
308 by the County Committee.
- 309 B. The County Committee shall issue a charter to any bona fide organization whose application
310 meets the following requirements:
- 311 (1) The organization shall have a membership of at least ten (10) members.
 - 312 (2) The organization shall limit its membership to registered Democrats.
 - 313 (3) The organization must meet at least once quarterly.
 - 314 (4) The organization shall annually provide to the County Committee a roster of names,
315 addresses and telephone numbers of its regular and associate members.
 - 316 (5) The organization shall annually provide to the County Committee a copy of its
317 bylaws. Said bylaws need to state that the organization shall not take a position in support
318 of a candidate for partisan office other than a Democrat and shall support the platform of
319 the State and National Party and cooperate with other Democratic organizations.
 - 320 (6) Each organization shall remit to the County Committee thirty-five (\$35.00) dollars
321 per annum.
- 322 C. The County Committee may charter an organization for members who are between twelve
323 (12) and eighteen (18) years of age who may not be registered to vote. Such organization shall
324 have an advisor who shall be a registered Democrat approved by the EC.

325 Article IX. Meetings

326 Section 1. Meeting Dates

- 327 A. The biennial organizational meeting of the County Committee shall meet, upon call by the
328 County Clerk, and in quarters which may be provided by the Clerk on the second Monday after the
329 first day in January following the Direct Primary Election in even numbered years.
- 330 B. Subsequent regular meetings shall be held on the third or fourth Monday of each month at
331 a place and time to be determined by the EC Committee, unless cancelled in the manner hereinafter
332 provided.
- 333 C. Special County Committee meetings may be held at the call of the Chair or by at least ten
334 members, upon five (5) days prior written notice to all members. Such notice shall state the time
335 and place of the special meeting and contain an agenda of all business to be transacted at such
336 special meeting.
- 337 D. The EC shall meet at least seven (7) days in advance of all regularly scheduled meetings
338 of the County Committee. Special EC meetings may be called at any time upon written or oral
339 notice by the Chair or by three (3) members of the EC.
- 340 E. A future meeting may be cancelled by two-thirds (2/3) of the members present and voting
341 at any regularly scheduled meeting of the County Committee.
- 342 F. In an emergency, a meeting may be cancelled upon approval of the officers.

3 **Article X. Election of CDP State Committee Members**

344 **Section 1. State Central Committee**

- 345 A. Pursuant to the CDP bylaws, the County Committee is entitled to elect members to the CDP
346 Central Committee as follows: Four members plus one member for each ten thousand (10,000)
347 registered Democrats or portion thereof residing in Orange County.
348 B. The number of registered Democrats shall be as of the most recent report of registration
349 prior to the General Election.

350 **Section 2. Membership**

- 351 A. Members eligible for election to the State Central Committee must have been elected at the
352 preceding Direct Primary election or must have been appointed pursuant to Article II, Section 8.
353 Alternates of members are eligible after all elected and appointed members have been elected.
354 B. Elected members shall be divided as equally as possible between men and women.
355 C. Notwithstanding subsection A of this section, the Chair of the County Committee shall be
356 automatically elected to the State Central Committee.
357 D. At least one member from each Assembly District shall be elected, unless no candidate runs
358 from the Assembly District.

359 **Article XI. Election of State Executive Board Members**

360 **Section 1. Authority and Duties**

- 361 A. Pursuant to the CPD bylaws, the County Committee is entitled to elect one member to the
362 State Democratic Executive Board for each one hundred thousand (100,000) registered Democrats
363 or portion thereof residing in Orange County.
364 B. Said State Executive Board members elected from the County Committee have a duty to
365 attend State Executive Board meetings and a duty to report to the County Committee at the
366 regularly scheduled meeting immediately following a State Executive Board meeting.

367 **Section 2. Membership**

- 368 A. Any elected, appointed, or ex-officio member who was elected by the County Committee
369 to the CDP State Central Committee is eligible for election to the State Democratic Executive Board
370 by the County Committee.
371 B. Board representation shall be divided as equally as possible between men and women.

372 **Section 3. Removal**

- 373 A. Any member elected to the CDP Executive Board by the County Committee, who misses
374 two consecutive regular Executive Board meetings, shall be deemed to have resigned from the
375 Executive Board effective at the conclusion of the second missed State Executive Board Meeting.
376 B. The Chair shall inform the County Committee of the vacancy at the next regularly scheduled
377 meeting and take nominations to fill the vacancy. Further nominations and the election shall take
378 place at the subsequent meeting.
379 C. If a meeting of the Executive Board occurs between the occurrence of the vacancy and the
380 next meeting, the County Committee Chair will appoint a member as a temporary representative
381 to the CDP Executive Board until an election is held by the County Committee.

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Article XII. Committees

383 Section 1. Standing Committees

384 The County Committee shall have the following Standing Committees:

- 385 (1) Resolutions/Legislation Committee
- 386 (2) Bylaws/Rules Committee
- 387 (3) Election Committee
- 388 (4) Finance Committee
- 389 (5) Communications Committee
- 390 (6) Outreach Committee
- 391 (7) Voter Registration Committee
- 392 (8) Candidate Recruitment and Services Committee
- 393 (9) Convention Committee
- 394 (10) Information Systems Committee
- 395 (11) Environmental Committee

396 Section 2. Membership

- 397 A. Chairs of all Standing Committees shall be elected, appointed, or ex-officio members.
- 398 B. Standing Committees shall consist of at least five members appointed by the Standing
- 399 Committee Chair in consultation with the County Chair.
- 400 C. The Chair of the County Committee shall ascertain that each member of the County
- 401 Committee is serving on at least one Standing Committee.
- 402 D. Democrats who are not members or alternates of the County Committee may serve on
- 403 Standing Committees, except on the Resolutions/Legislative Committee, the Bylaws/Rules
- 404 Committee, and the Election Committee.

405 Section 3. Resolutions/Legislation Committee

- 406 A. The Resolutions/Legislation Committee is responsible for all resolutions emanating out of
- 407 County Committee. The Committee shall study local ballot initiatives which may relate to the CDP
- 408 platform issues or local Democratic concerns, and bring pertinent proposals, with recommendations
- 409 to support, work against, or abstain to County Committee.
- 410 B. This Committee shall respond within ten (10) days after receiving a referral from the EC or
- 411 from any County Committee member.
- 412 C. Procedures for the Resolutions/Legislation Committee are specified in Article XVIII.

413 Section 4. Bylaws/Rules Committee

- 414 A. The Bylaws/Rules Committee is responsible for developing, maintaining and amending the
- 415 bylaws and rules of the County Committee.
- 416 B. The Bylaws/Rules Committee shall respond within ten (10) days after receiving a referral
- 417 from the Executive Committee or from any County Committee member.
- 418 C. Procedures for amending these bylaws are specified in Article XVII.

419 Section 5. Election Committee

- 420 A. The Election Committee is responsible for conducting all internal elections of the County
- 421 Committee, tallying the votes and promptly reporting the results to the County Committee.
- 422 B. Procedures for the Election Committee are specified in Article XX.

423 Section 6. Finance Committee

- 424 A. The Finance Committee shall be responsible for recommending and developing fund-raising
- 425 activities that would produce the income necessary to meet the annual projected budget expenses.

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- 426 B. This Committee shall be responsible for reviewing expenditures and making
27 recommendations for cost control.
28 C. This Committee shall review proposed budgets and plans for their fiduciary impact in
429 cooperation with the Treasurer and the EC.

430 **Section 7. Communications Committee**

- 431 A. The Communication Committee shall be responsible for exchange of information and
432 communication between existing Democratic organizations, both inside and outside the county,
433 and between the County Committee and the public at large.
434 B. Such information and communication shall include, but not be limited to:
435 (1) Development and maintenance of a list of media contacts.
436 (2) Issuance of media news releases at the direction of the County Committee Chair.
437 (3) Development and distribution of a County Committee newsletter at the direction and
438 approval of the Chair in cooperation with the Regional Executive Coordinating Council.
439 (4) Development and maintenance of information packets about the County Committee
440 and the CDP.

441 **Section 8. Outreach Committee**

- 442 A. The Outreach Committee shall be responsible for the initiation and development of contacts
443 with individuals and groups within the county, but which are outside the existing network of
444 Democratic organizations, for the purpose of developing new Democratic clubs and organizations
445 to increase the influence of Democratic policies and positions.
446 B. This committee shall be responsible for the development and maintenance of a Speakers
447 Bureau to respond to requests for speakers about the Democratic Party and its functions.

48 **Section 9. Voter Registration Committee**

- 449 A. The Voter Registration Committee shall be responsible for voter registration activities in the
450 county and for the coordination with voter registration activities of the CDP.
451 B. These duties shall include, but not be limited to:
452 (1) Identification of activities and events being conducted throughout the county where
453 voter registration will be permitted.
454 (2) Designation of voter registration responsibility for events occurring within limited
455 areas of the county to the proper Assembly District Committee or chartered Democratic
456 club for that area. When the ADC or the chartered club fails to fulfill this duty, this
457 committee shall act to ensure that the voter registration task is completed. Voter
458 registration for countywide activities and events shall be the responsibility of this
459 committee.
460 (3) Providing sources of political information and material to aid Assembly District
461 Committees and chartered Democratic clubs in conducting voter registration.

462 **Section 10. Candidate Recruitment and Services Committee**

- 463 A. The Candidate Recruitment and Services Committee shall be responsible for the recruitment
464 of candidates for the California Legislature and the House of Representatives and other elective
465 offices. It shall be the responsibility of this committee to provide available County Committee
466 campaign support services to the endorsed Democratic candidates and to organize coordinated
467 activities and support for these candidates.
468 B. This committee shall be responsible for encouraging candidates for non-partisan offices and
469 for collecting information for the County Committee on non-partisan candidates to facilitate
470 potential endorsements by the County Committee.
471 C. This committee shall cooperate with Assembly District Committees, chartered Democratic
472 clubs and the Regional Director to develop coordinated activities and support for all candidates.

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473 D. This Committee shall provide candidate's names, addresses, telephone and FAX numbers
474 to the CDP Regional Director, and may, if requested, assist the Regional Director in planning the
475 Regional Pre-Endorsement Conference scheduled by CDP prior to the State's Endorsement
476 Convention held every even numbered year.

477 **Section 11. Convention Committee**

478 A. The Convention Committee shall be responsible for planning and conducting the biennial
479 convention held in the even numbered year. The committee chair shall be chair of the convention.
480 B. This Committee shall be responsible for assisting the Convention Chair in the collection and
481 organization of permanent convention records.

482 **Section 12. Information Systems Committee**

483 A. The Information Systems Committee shall be responsible for providing expertise, and
484 knowledge and skills to support the maintenance and up-grading for operation of the County
485 Committee equipment, including but not limited to the computer, phone, and fax systems.
486 B. This Committee shall provide the training necessary to volunteers in order to use the
487 available information systems.

488 **Section 13. Environmental Committee**

489 The Environmental Committee shall investigate environmental issues, establish liaisons with relevant
490 organizations, and make recommendations on environmental issues to the County Committee.

491 **Section 14. Special Committees**

492 Special Committees may be appointed by the Chair to perform specific tasks and the Chair may
493 terminate Special committees at his/her discretion. Such committees automatically terminate at the
494 end of the County Committee term in which they were appointed.

495 **Article XIII. Quorum**

496 **Section 1. Quorum for the County Committee**

497 Nineteen of the elected members and appointed members shall constitute a quorum.

498 **Section 2. Quorum for the Executive Committee**

499 A majority of the membership of the Executive Committee shall constitute a quorum.

500 **Section 3. Quorum for Standing Committees**

501 A majority of the membership shall constitute a quorum.

502 **Section 4. Business**

503 No business shall be transacted in the absence of a quorum. Actions necessary by time limits may
504 be taken by members present and presented to County Committee at the next meeting for approval.

Article XIV. Voting

Section 1. Eligibility to Vote

All votes shall be personally cast by the elected, appointed and ex-officio members or their designated alternates. Pursuant to Article XVI, members must have paid dues in order to be eligible to vote.

Section 2. Manner

All actions of the County Committee shall be by a vote of a majority of the members present and voting unless otherwise expressly provided in the Bylaws. The manner of voting, whether by voice, show of hands or secret ballot, shall be within the discretion of the Chair, except whenever there is a division on any issue, the Chair shall grant the request of any member for a roll call vote. A request for a roll call vote, however, shall not be in order when electing positions pursuant to Article II, Section 8; Article IV, Section 2; Article X; and Article XI.

Section 3. Restrictions

No elected, ex-officio, appointed member or alternate shall be entitled to vote or participate in the County Committee unless he/she has paid their annual dues, as specified in Article XVI, Section 1.

Article XV. Rules of Procedure

Section 1. Authority

All regular and special meetings of the County Committee shall be conducted in accordance with Robert's Rules of Order, except when the County Committee bylaws conflict.

Section 2. Chair's Power

The Chair shall be the final authority on any procedural question.

Article XVI. Dues

Section 1. Amount

Dues shall be twenty-five (\$25.00) dollars per year for each member including alternates and are due and payable within sixty (60) days of assuming membership. No dues are assessed for associates.

Section 2. Deferral or Waiver of Dues

Any member may apply for a deferral or a waiver of dues to the Treasurer, in writing or in person, on the grounds of economic hardship. The Treasurer will present the request to the Executive Committee for a decision with a recommendation.

Article XVII. Amendment of Bylaws

Section 1. Procedure

- A. Any member of the County Committee may propose any amendment to these bylaws.
- B. The Chair shall refer such amendments to the Bylaws/Rules Committee for consideration.

C. If any amendment is approved by the ByLaws/Rules Committee, then that Committee shall forward the proposal to the Secretary prior to the next regularly scheduled meeting of the EC.

D. The Secretary shall provide members of the EC copies of the proposed amendment(s). The Secretary shall include said amendment(s) in the notice of meeting sent out prior to the next regularly scheduled County Committee meeting.

E. The proposed amendment(s) shall be read at the next regularly scheduled meeting, but no action may be taken on it at that time. The proposed amendment(s) shall be scheduled for action on the agenda for the following regularly scheduled County Committee meeting.

F. If this Committee fails to act on a referred proposed amendment within sixty (60) days, or if this committee recommends against the proposed amendment, a request to discharge the proposed amendment may be presented to the EC and the County Committee at their next regularly scheduled meeting.

(1) The discharge request must bear the signatures of ten (10) members. Sufficient copies of the discharge motion and the proposed amendment must be presented to the Secretary in time and in sufficient quantities to make distribution to EC and County Committee prior to their meetings.

(2) Debate before the County Committee on the discharge motion shall be limited to no more than twenty (20) minutes and no amendments are in order. Passage requires a majority vote of the members present and voting.

(3) If the discharge motion passes, then the proposed amendment shall be placed on the agenda of the next regularly scheduled meeting.

G. Changes in these bylaws shall become effective upon approval.

Section 2. Vote

The County Committee may adopt an amendment(s) to its bylaws, subject to the restriction in Section 1 of this Article, by a two-thirds (2/3) vote of the membership present and voting.

Article XVIII. Resolutions /Legislation Committee Procedures

Section 1. Resolutions/Legislation Committee Procedures

A. The Resolutions/Legislation Committee, hereafter called RLC, shall, at the direction of either the EC or the County Committee, propose in a timely manner, language for a resolution, according to the direction given, stating the County Committee position on a given topic, for consideration and possible subsequent adoption by the County Committee.

B. The RLC shall be responsible for recommending to the EC and the County Committee whether resolutions, proposed and provided for in Article XII, Section 3, should be adopted.

C. The EC shall, upon receiving the recommendation of the RLC on a properly proposed resolution, make its own recommendation on the resolution and schedule the resolution(s) along with any arising from the direction of either the EC or the County Committee to be put to a vote at the next regularly scheduled meeting.

D. Prior to a vote on a resolution, either acted upon by the RLC or prepared by the same at the direction of the EC or the County Committee, the RLC shall report to the County Committee on the resolution. The report shall include the background of the resolution and any recommendation arising under these By-Laws. The members making the report should be prepared to answer the County Committee's questions regarding the resolution. To the extent possible, the RLC should report to the County Committee in writing as well as orally, preferably including their written report with the regular meeting notice.

E. If the RLC fails to respond on a properly proposed resolution(s) within ten (10) days, the proponent/s may submit 15 copies to the Secretary for distribution to EC to be considered at their regularly scheduled meeting.

(1) After verifying the failure of RLC to respond, and that the resolution was properly proposed, the EC shall determine its recommendation to County Committee, to be included in the Chair's report at the next regularly scheduled meeting. If the EC recommends

approval, the resolution shall be considered by County Committee at its next regularly scheduled meeting.

(2) If the EC does not approve the proposed resolution, the proponents may submit 75 typewritten copies of the resolution, signed by 10 supporting County Committee members, to the Secretary to be included in the mailing for the next regularly scheduled meeting and its consideration listed on the meeting agenda.

(3) If a resolution's proponents state that a time factor must be considered because, if the regular procedure, as outlined above, is followed, the resolution would be moot.

a Therefore, when a time factor is important, the resolution's proponent may distribute typewritten copies of the resolution at a regular meeting, within one hour of its beginning, to all County Committee members. The resolution must show support of ten (10) members, identified by their signatures on the resolution.

b The proposed resolution may be discussed, with a ten (10) minutes time frame, and then voted up or down.

F. No resolution previously defeated by County Committee nor a resolution contradicting an approved resolution, may be considered without documented new circumstances. After consideration by the Chair, the proponents may follow the above procedures for the resolution to be considered by County Committee.

Article XIX. Candidate Endorsement Procedures for Partisan and Nonpartisan Office.

Section 1. President of the United States

A. In accordance with the CDP bylaws, no official unit of the CDP may endorse any candidate for delegate to the Democratic National Convention or endorse candidates for President of the United States until the Democratic National Convention has been held.

B. Individual members may endorse delegates or a candidate for the Democratic Presidential nomination. The political party or office held by such members who make such an endorsement may only be indicated in that endorsement solely for identification purposes.

Section 2. Partisan Public Offices Other Than President

A. The endorsement of candidates for other public offices is authorized on two levels. The first level is called a "Pre-endorsing conference," held in each CDP Region. The final caucuses take place during the "Endorsing convention" held by CDP where CDP members resident in the relevant district shall vote on candidates requesting CDP endorsement.

(1) Voting at all endorsing caucuses shall be by roll call vote. Fifty percent plus one of the credentialed members of an endorsing caucus shall constitute a quorum.

(2) Members of an endorsing caucus shall be presented with a "no endorsement" option on all endorsement votes.

(3) No endorsing caucus may endorse more candidates than there are seats for the office in question.

(4) Candidates and all interested parties must receive notice of the time, place and agenda of all steps in the proceedings leading up to endorsement.

(5) County Committee cannot endorse when CDP has not endorsed in partisan races.

B. A Pre-endorsing conference, conducted by the Orange County CDP Regional Director, shall be held prior to the State Endorsing Convention for all Democratic Candidates in the Region who have requested endorsement and paid the \$100.00 fee for statewide public office and \$50.00 fee in all other cases.

C. Absentee ballot voting shall be allowed for each office, provided that a minimum of five (5) delegates eligible to vote for that office are present to constitute a quorum. In the absence of such quorum no recommendation for endorsement shall take place.

D. Voting participants at each pre-endorsing conference shall be:

(1) All CDP members resident in the district.

(2) All regular County Committee members resident in the district.

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(3) The designated representatives from chartered clubs and organizations may only vote in the districts in which they reside.

E. No proxy voting shall be allowed at pre-endorsing conferences. Thirty (30) days before a pre-endorsing conference, it shall be the responsibility of the Regional Director, with the assistance of County Committee chair and ADC chairs to identify by name, eligible voters and to transmit the names of all such voters to the State Chair, along with the Assembly District, Senate District and Congressional District in which each resides.

F. Eligibility to vote with respect to a given office shall be limited to those conference participants resident in the election district in question.

G. A candidate's name may be placed on the consent calendar of CDP's Endorsing Convention, upon receiving a 70 % vote at a pre-endorsing conference.

H. At the CDP Endorsing Convention, the consent calendar shall be approved by a simple majority vote of eligible voters attending the convention.

I. A name may be removed from the consent calendar by any five (5) members of CDP members resident in the District in question, or by 300 members of CDP by filing an objection with the State Chair no later than ten (10) days prior to the State Endorsing Convention. If a name is removed from the consent calendar, the CDP bylaws regarding endorsements shall apply.

J. The final endorsement procedures, as listed in the CDP bylaws, take place at the CDP Endorsing Convention where decisions of endorsing caucuses and the recommendation of pre-endorsing conferences which appear on the consent calendar, shall be subject to ratification by the full membership of CDP at a time certain noticed in the printed convention agenda, except with respect to candidates for statewide public office.

Section 3. Nonpartisan Public Offices

A. Endorsement of candidates for all local nonpartisan offices within Orange County, shall be the exclusive responsibility of County Committee and shall be extended only to registered Democrats. All endorsements shall be made in accordance with County Committee bylaws duly adopted at least six months prior to making such endorsements. The option of "no endorsement" shall be provided in any endorsement caucus.

B. All members of the County Committee, including alternates and associate members, have voting rights for nonpartisan offices, in accordance with CDP bylaws.

C. A Democratic candidate for nonpartisan office who has been endorsed by County Committee shall also be considered to be the endorsed candidate of the CDP 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 CDP's mailing permit.

D. It is the intent that County 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.

Section 4. Local Ballot Propositions

The County Committee's position on local ballot propositions may be communicated in informational material, distributed with the CDP's mailing permit so long as:

(1) The County Committee's position has been duly adopted and its bylaws have been reviewed and approved by the CDP.

(2) The material does not express endorsement of a candidate for nonpartisan office who is not also an endorsed candidate of CDP as in this Article, Section 3, A.

90 **Article XX. Election Committee Procedures**

691 **Section 1. Ballots**

- 692 A. After the votes are tallied, ballots shall be placed in a sealed envelope by the Election
693 Committee and delivered to the Secretary who shall retain said ballots for sixty (60) days, at which
694 time said ballots shall be destroyed.
695 B. The Chair shall announce the results of all elections, and the Election Committee shall
696 immediately post the election results.
697 C. Each candidate is entitled to select one (1) observer during the counting of the ballots.

698 **Section 2. Temporary Election Committee**

- 699 A. For the purpose of the biennial organizational meeting of the County Committee and the
700 election of the Officers, the temporary Chair shall have the Election Committee from the preceding
701 County Committee perform its responsibilities as stated herein.
702 B. In the absence of any member of the Election Committee, or in the event a member of the
703 Election Committee is a candidate for an elected position on the County Committee, the Chair shall
704 appoint a temporary replacement for said Election Committee member.

705 **Article XXI. General Policies**

706 **Section 1. Access to the Handicapped**

- 707 The County Committee meetings shall be held in quarters accessible to the physically handicapped.

708 **Section 2. Open Meetings**

- 709 All public meetings of the County Committee shall be open to all members of the Democratic Party
710 regardless of race, gender, age, color, creed, religion, sexual orientation, national origin, ethnic
711 identity or economic status.

712 **Section 3. Full Disclosure of Meetings**

- 713 The time and place of all County Committee meetings should be publicized fully and in such manner
714 so as to assure timely notice to all interested persons. Such meetings shall be held in places
715 accessible to all Party members and large enough to accommodate all interested persons.

716 **Section 4. Full Registration**

- 717 The County Committee supports the broadest Democratic voter registration without discrimination
718 on grounds of race, gender, age, color, creed, religion, sexual orientation, national origin, ethnic
719 identity or economic status.

720 **End of Bylaws**

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