



MEMORANDUM

To: Interested Parties
From: Clark Lee and Kasey Walukones
Date: December 2017
RE: Special Election Endorsing Caucus General Information

Introduction:

The California Democratic Party (CDP) considers endorsements for special elections in federal and state election contests via a Special Election Endorsing Caucus convened by the CDP Chair, according to CDP By-Laws, Article VIII, Section 3.e. on Special Elections and Appeals Committee.

Democratic Party Endorsement Generally:

Pursuant to the CDP By-Laws, the only form of Democratic Party endorsement is an “official endorsement” as described in Article VIII of the By-Laws & Rules of the California Democratic Party (CDP) and summarized in this document.

CDP By-Laws, Article VIII, Section 1.a. states: *Unless a candidate, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, has received an "official endorsement" all motions of support, recommendation, or other expressions of approval, or disapproval, whether express or implied as pertains to a candidacy for public office, or position on a State Ballot Proposition, Initiative, Referendum, or Recall, no matter how denominated, shall be out of order at any meeting of This Committee, its Executive Board, its Regions, its Assembly District Committees or its Caucuses; provided, however, that nothing herein shall prevent This Committee's Regions, or its Caucuses, from calling on the California Democratic Party to take any action.*

Special Election Endorsing Caucus Process:

Voting Eligibility:

The CDP Chair is required to call a Special Election Endorsing Caucus of the 2017-2019 Democratic State Central Committee (DSCC) members who are resident and registered to vote in the relevant district at 5 PM of the day of the Governor’s Proclamation of the Special Election with one exception: DSCC members appointed by elected officials or “highest vote-getting Democrats” are not eligible to vote in the Endorsing Caucus unless the appointed member is registered to vote in the same electoral district that the appointer represents. In other words, out-of-district appointed DSCC Members are not eligible to vote in the Endorsing Caucus. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).)

Candidates:

- **Eligibility** - Each candidate registered as a Democrat in the relevant district may request to be considered for the CDP endorsement. (CDP By-Laws, Art. VIII, Sec. 1.h.)
- **Registration & Filing Fee** - To seek the endorsement, a candidate completes a Candidate Registration Form along with a non-reimbursable filing fee. The non-reimbursable filing fee must be paid prior to the Endorsing Caucus. The fee structure is as follows: U.S. House of Representatives: \$350; State Senate: \$500; State Assembly: \$250. (CDP By-Laws, Art. VIII, Sec. 3.c.(3).)
- **Affirm Reading of CDP Platform** - Candidates seeking CDP endorsement consideration shall affirm in writing that they have read the most current CDP Platform. (CDP Bylaws Art. VIII, Sec. 3.c.(3).) The CDP adopts platform every two years. The current platform was adopted on February 28, 2016. The platform is available online at www.cadem.org/plaform.

At the Endorsing Caucus Meeting:

- **Quorum** - Fifty percent plus one of the credentialed members of an Endorsing Caucus shall constitute a quorum, whether in-person or voting by mail. (CDP By-Laws, Art. VIII, Sec. 3.c.(4).)
- **Voting** - Voting at the Endorsing Caucus is by signed written ballot, the results of which shall be read off as though it were a roll call vote. Members must be present at the Endorsing Caucus to vote or send in their vote-by-mail ballot to the Regional Director/Convener chairing the Endorsing Caucus. No proxy voting is allowed. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).(b).)
- **Valid Votes** - Per CDP By-Laws, in order to vote, and have one's vote counted, at any meeting of This Committee, a member must have timely: (1) paid their dues to the CDP, or had them waived, (2) registered for the meeting, if registration was required, (3) obtained their credential prior to the closing of credentialing, if credentials were issued for the meeting, and (4) completed and returned to the proper authority any ballot that may be issued. (CDP By-Laws, Art. IV, Sec. 7.b.)
- **Voting Choices** - Each member may vote for one of the candidates who has filed to participate in the endorsement process or vote for "No Endorsement" on the ballot. (CDP By-Laws, Art. VIII, Sec. 3.c.(6).)
- **Threshold** - A candidate must receive at least 60% (sixty percent) of the votes of the Endorsing Caucus members present and voting to be endorsed. "No Endorsement" is counted as a vote; however, pursuant to *Robert's Rules of Order*, an abstention will not be counted. In the event that no candidate receives 60% and "No Endorsement" fails to achieve a majority, it is deemed that the Endorsing Caucus has failed to make an endorsement and the position is "No Consensus." (CDP By-Laws, Art. VIII, Sec. 3.c.(8).)
- **One Endorsed Candidate** - The Endorsing Caucus may not endorse more candidate for an office than the number to be elected for that office. (CDP By-Laws, Art. VIII, Sec. 1.i.)
- **Endorsement** - The decision of the Endorsing Caucus shall become the official endorsement of the California Democratic Party and is effective at the end of the Endorsing Caucus. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).(b).)

Objection/Appeal Process:

- **Filing** - Any objection must be made in writing and filed within two (2) days of the Endorsing Caucus with CDP Chair Eric C. Bauman and must be signed by either: (1) a majority of the five statewide officers or (2) 20% of the DSCC members of the Endorsing Caucus of the relevant district. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).(b).) The filing should be sent to CDP Chair Eric C. Bauman (ericbauman@cadem.org), cc Political Director Clark Lee (clark@cadem.org) and Dep. Political Director Kasey Walukones (kasey@cadem.org). It can be sent via fax to (916) 442-5715 or via mail to: 1830 9th St., Sacramento, CA 95811. Please note that the deadline is a *received by* deadline.
- **Special Elections Appeals Committee** - If an objection is filed, a Special Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. The Special Elections Appeals Committee shall be comprised of the statewide officers; the Regional Director of Assembly District 51, two (2) Executive Board members, appointed by the State Chair, from each of the following committees: Rules, Credentials, and Voter Services. (CDP By-Laws, Art. VIII, Sec. 3.e.(2).; Art. VIII, Sec. 3.e.(3).)

Questions/Further Information

If you have any questions, please contact Kasey Walukones (kasey@cadem.org) or Clark Lee (clark@cadem.org) / (916) 442-5707.

Note: The CDP By-Laws supersedes any information provided by staff regarding the endorsement process, including the information in this document. All candidates, DSCC members, and interested parties are urged to review the CDP By-Laws. A current copy can be found on the CDP website at www.cadem.org. Endorsements information is available on the CDP Endorsements webpage at www.cadem.org/endorsements.

Key Dates, Generally

Within 14 Days of Vacancy

Governor's Proclamation of Special Election

On this date, the Governor issues proclamation calling the special election. (Government Code §1773; Elections Code §§10700, 10703)

Day of Special Election Proclamation

Call for Special Election Endorsing Caucus

The CDP Chair is required to call a Special Election Endorsing Caucus of the 2017-2019 Democratic State Central Committee (DSCC) members who are resident and registered to vote in the relevant district at 5 PM of the day of the Governor's Proclamation of the Special Election with one exception: DSCC members appointed by elected officials or "highest vote-getting Democrats" are not eligible to vote in the Endorsing Caucus unless the appointed member is registered to vote in the same electoral district that the appointer represents. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).)

At least 91 Days Before Election Day

Special Election Endorsing Caucus

Special Election Endorsing Caucus is held. (CDP By-Laws, Art. VIII, Sec.3.e.)

At least 89-90 Days Before Election Day

Endorsing Caucus Objections

Any objection must be made in writing and filed within two (2) days of the Endorsing Caucus with the CDP Chair and must be signed by either: (1) a majority of the five statewide officers or (2) 20% of the DSCC members of the Endorsing Caucus of the relevant district. (CDP By-Laws, Art. VIII, Sec. 3.e.(1).(b).)

At least 84-88 Days Before Election Day

Special Election Appeals Committee

If an objection to the Endorsing Caucus is filed, a Special Elections Appeals Committee will make the final determination at a meeting no later than five (5) days after an objection has been filed. (CDP By-Laws, Art. VIII, Sec. 3.e.(2).; Art. VIII, Sec. 3.e.(3).)

No Later Than 83 Days Before Election Day

Political Party Endorsements

Deadline to submit political party endorsements to county election officials. (Elections Code §13302(b))

Special Primary Election Date

Special Primary Election

The date of the special primary election is calculated by counting back nine Tuesdays or, if the ninth Tuesday is the day of or following a state holiday, ten Tuesdays preceding the day of the special general election at which the vacancy is to be filled. If one candidate receives a majority of the votes (50% + 1), no special general election will be held. (Elections Code §§10704, 10705)

Special General Election Date

Special General Election

A special election to fill a vacancy in the office of Representative in Congress, State Senator, or Member of the Assembly shall be conducted on a Tuesday at least 126 days, but not more than 140 days, following the issuance of an election proclamation by the Governor pursuant to Section 1773 of the Government Code, except that the special election may be conducted within 180 days following the proclamation in order that the election or the primary election may be consolidated with the next regularly scheduled statewide election or local election occurring wholly or partially within the same territory in which the vacancy exists, provided that the voters eligible to vote in the local election comprise at least 50 percent of all the voters eligible to vote on the vacancy. (Elections Code §10703)