

# Currently Proposed Amendments Under Consideration

[Note: none of these amendments have been approved by the PORC – they are draft proposals that are published to enable interested Democrats to provide feedback prior to final consideration]

## Technical Amendments / Inconsistency Corrections

### **PORC Committee Name Change**

Section: Throughout Charter and By-Laws as necessary

Change all references to the “Plan of Organization Review Committee” to the “Charter and By-Laws Review Committee”

Explanation: Self-Explanatory

### **Clarity on proxies for committees**

Section: By-Laws Article IX under “Proxy Voting”

Replace: “For meetings of any **Executive Committee and the State Executive Council**, a member may designate an active Democrat, from the jurisdiction or organization that elected the member to that body, to serve as their proxy for a particular meeting of that body. The member must notify the chair or secretary of that body in writing prior to the call to order of the meeting. No person may serve as proxy for more than one member at any meeting and no member or proxy may be entitled to more than one vote.”

With: “For meetings of any **other body, committee, or subcommittee**, a member may designate an active Democrat, from the jurisdiction or organization that elected **or appointed** the member to that body, to serve as their proxy for a particular meeting of that body. The member must notify the chair or secretary of that body in writing prior to the call to order of the meeting. No person may serve as proxy for more than one member at any meeting and no member or proxy may be entitled to more than one vote.”

Explanation: Proxies are expressly prohibited for certain meetings and allowed for Executive Committees and the Executive Council, but other committees and subcommittees are left unaddressed. This amendment allowed proxies for any meeting except where expressly prohibited elsewhere in the By-laws.

### **Voice votes allowed at all meetings**

Section: By-Laws Article IX under “Voting Methods”

Delete: “For all County Executive Committee meetings and conventions at any level...”

Replace with: “For all meetings and conventions at any level...”

Explanation: Voice votes are efficient and useful for conducting otherwise non-controversial business, but are not authorized for many party bodies. This change applies the voice vote rule to all committees and subcommittees.

## **Location of Precinct Meetings**

Section: “Precinct Meetings” in By-Laws

Delete: “Annual precinct meetings will be held at the polling place of the precinct, unless an alternate meeting location is approved by the County Chair and publicly announced at least seven (7) calendar days before the meeting. If an alternate location is used, the precinct chair or organizer must post notice of the alternate location at the regular polling place. If such posting is not permitted, the Precinct Chair or organizer will notify the County Party Chair so a remedy can be found in a timely manner.”

Add to next paragraph: “Precinct meetings must be held in a public facility that is accessible and open to all registered Democrats residing in the precinct. If no public facility is available in the precinct, with the County Chair’s approval, the precinct meeting may be held in a non-public facility that is accessible and open to all registered Democrats residing in the precinct. The location of the meeting must be publicly announced at least seven (7) calendar days before the meeting.”

Explanation: As a matter of general practice, precinct meetings are often not held at the precinct voting site. This change simply captures common practice by allowing meetings wherever designated as long as it is accessible to all potential attendees.

## Substantive Amendments Unlikely to Require Debate

### **PORC Committee Allowed to Make Non-Substantive Changes**

Section: By-Laws Article IV, Section IV under “Charter and By-Laws Review Committee”

Add: “The Committee is authorized to make non-substantive corrections and changes to the Charter and By-Laws between State Executive Committee meetings. Any such corrections or changes must be reported at the next State Executive Committee meeting.”

Explanation: The Committee occasionally finds typos, errors, etc. in the party’s governing documents. There also may be reasons to move provisions from one place to another for organizational purposes, without changing their substance. These minor technical fixes should not have to wait for an SEC meeting.

### **Newly Elected Officers Take Office at End of Meeting Where Elected**

Section: “Term” under Article II of the Charter

Delete: “Newly elected members take office immediately upon their election.”

Replace with: “Newly elected members take office at the conclusion of the meeting/convention at which they are elected.”

Explanation: The current officers are generally the ones who have planned a convention and developed the agenda. As a general matter, it makes sense that they should conclude the meeting before turning over their positions.

### **Remove Resolutions from Congressional District Executive Committee Duties**

Section: By-Laws Article VIII

Delete: [entire section labeled “District Resolution Process”]

Amend “County Resolution Process” as follows: “Resolutions adopted at the County Convention that address state and national issues will be forwarded to the Chair of the State Resolutions and Platform Committee by the County Secretary within ten (10) days.”

And

“Purely local resolutions will not be submitted to the State Resolutions and Platform Committee.”

Explanation: Precincts and counties are the sources of resolutions and platform submissions. District consideration is generally duplicative. Also, moving them straight to the State Resolutions and Platform Committee allows for additional time for that Committee to review and prepare resolutions for State Executive Committee consideration.

## **Emergency Meeting Powers for CECs and other executive committees**

Section: By-Laws, Article X, under “Committee Meetings” and “Meeting Notice Requirements”

Insert: Committees at any level are authorized to call emergency meetings upon 48 hours’ written notice in order to consider vacancies that, by law, must be filled within a certain number of days.

Explanation: Some state statutes require filling vacancies within seven days. A five-day notice requirement could cause the relevant committee to miss the deadline.

## **SEC Member Duties**

Section: By-Laws, Article IV, Section 1

Add:

*Other Duties of SEC Members*

In addition to consistent attendance, members of the State Executive Committee are expected to be active in their county party’s organizational events and efforts, including canvassing, phonebanking, and/or donating and fundraising. Members are also expected to review SEC meeting materials in advance of meetings.

## **Lift ban on sitting judges being on CECs**

Section: Charter Article II, Section 1 under “Membership”

Remove the phrase “except for judges” from the line “Any elected official who is a registered Democrat and lives in the county, ~~except for judges~~”

Explanation: This restriction is a relic of an old statute that no longer exists.

# Substantive Amendments Likely to Require Debate

## **CEC Authority to Remove Precinct Officers**

Section Affected: "Removals" under Article I of the By-Laws:

Delete: "Precinct Committee Members and Officers may be removed in accordance with Section 9.00."

Replace with: "Precinct Committee Members and Officers who do not perform their duties may, after written notice and an opportunity to be heard at a County Executive Committee meeting, be removed by three-quarters (¾) vote of the County Executive Committee. Such removal is appealable to the [State Executive Council / Council of Review] within five (5) days."

Explanation: The current Plan text does not allow for removal of precinct officers at all. This change clarifies the process and provides a very high threshold and an appeal opportunity to avoid abuse of this provision.

## **CEC Authority to Remove County Officers**

Section Affected: "Removals" under Article I of the By-Laws:

Delete: "Officers and members of the County Executive Committee may be removed as described in Section \_\_ of the Charter and By-Laws."

Replace with: "County Officers who do not perform their duties may, after written notice and an opportunity to be heard at a County Executive Committee meeting, be removed by three-quarters (¾) vote of the County Executive Committee. Such removal is appealable to the [State Executive Council / Council of Review] within five (5) days."

Explanation: The current Plan text requires Council of Review action to remove county officers. This change provides an alternative local process, with a very high threshold and an appeal opportunity to avoid abuse of this provision.

## **Higher Threshold for Passing Resolutions**

Section: By-Laws Article VIII immediately under the title

Add: "Because resolutions and platforms should represent a broad consensus among Party membership, resolutions and platforms at the County and State level may only be adopted by a three-fourths (¾) vote of eligible members present and voting. This higher threshold does not apply to votes of any platform and resolutions committee."

Explanation: Party resolutions and platform elements are intended to capture the Party's core positions and principals. A 51/49 issue should not be adopted as a resolution or platform element. This provision will ensure that the Democratic Party's resolutions and platform represent a substantial supermajority of the Party.

## Endorsements in Contested Democratic Primaries

Section: By-Laws, Article X, New Section titled “Endorsements in Contested Democratic Primaries”

Add:

As a general principle, officers and organizations within the Democratic Party may not endorse or otherwise publicly support candidates in contested Democratic primary elections.

### Officer Neutrality

Officers of the Democratic Party at the County, District, or State level may not endorse or otherwise support specific candidates in a contested primary. This includes sponsoring or participating in fundraising events on behalf of Democratic candidates during the contested primary, as well as participating in any advertisement or solicitation for such candidates. The sole exception to this rule is when the officer’s party organization (e.g. the County Executive Committee) has endorsed in the primary under the conditions below.

Officers of the Democratic Party at the County, District, or State level may not serve in a leadership, advisory, or public-facing role for any political action committee, 501(c)(4), or similar organization that endorses or opposes Democratic candidates in contested primaries.

### Party Organization Neutrality

All Democratic Party organizations at any level may not endorse or otherwise support specific candidates in a contested Democratic primary, except when the organization has voted to endorse or support a specific candidate in a properly called and noticed meeting, with quorum, with a minimum of 75% of the members present voting in favor. No endorsement vote is permitted at any meeting unless the agenda item of endorsement consideration was publicly announced with the meeting notice.

This provision does not apply to Affiliated Organizations or elected officials (Governor, members of the General Assembly, county commissioners, etc.).

### General Volunteering Still Permitted

Individuals affected by the provisions above may still engage in general volunteering (canvassing, phonebanking, or personally donating), in their individual capacity, for candidates in a contested primary so long as there is no indication, communication, or other use of their Party position during the volunteering.

## **Other Amendment Ideas Proposed But Not Yet Drafted**

**Smaller Executive Council**

**AO Sustainability Requirements**

**Different Thresholds for Amending Charter and By-Laws**

**Structure for Treasurer Role and Transitions**

**Create Judicial District executive committee separate from prosecutorial district**

**Correct overcounting of partial precincts in split single-county district voting**

**Re-name State Vice Chairs by Duties rather than numerically**

**Additional Standing Committees (including technology committee)**

**Clarifying Whether/How Party Officers Can Run for Elected Office**

**Require certain committees to have an annual public workshop or training**

**Elected/Appointed members of state committees are automatically made SEC members if not already on the SEC**

**Broaden who is able to vote in elections of Regional Vice Chairs**