

# **BUSINESS AND PROFESSIONAL (B&P) CAUCUS OF THE CALIFORNIA DEMOCRATIC STATE CENTRAL COMMITTEE**

BY LAWS

Last Amended: November 14, 2009

## ***ARTICLE I — Definition and Purpose***

### **Section 1.**

This Caucus comprises the Business and Professional people of the State Central Committee — The California Democratic Party.

### **Section 2.**

It shall be the purpose of this caucus to promote and encourage full participation by Business and Professional people in the Democratic Party and its activities at all levels. Furthermore, the Caucus shall initiate and support party methods, issues, and policies which reflect the interest and welfare of Business and Professional people, and act as the vehicle for implementation of Party Business and Professional policies.

## ***ARTICLE II — Organization and Membership***

### **Section 1.**

Any issues not specifically covered by these by-laws shall be governed by the By-laws of the California Democratic Party. In case of conflict in the By-laws, the CDP By-laws will be the governing document. The Business & Professional Caucus specifically recognizes its' obligations to adhere to the General Provisions of the CDP By-laws

### **Section 2.**

Persons eligible for membership in this Caucus are any registered Democrats who are businesspeople and professionals and those who share an interest in the actions of business people and professionals in the State of California. Upon application, payment of the prescribed dues, and in accordance with current CDP Bylaws and these B&P Caucus Bylaws, eligible persons may then be granted full membership and voting status. Members who are duly credentialed members of the State Central Committee of the Democratic Party of California are eligible to hold an elected office of this Caucus.

### **Section 3.**

Duly elected Democrats to Public Office within the State of California who meet the requirements of Section 1. above are eligible for special membership to this Caucus.

### **Section 4.**

Affiliated Business and Professional Clubs and Affiliated Organizations may hold membership in this Caucus. Upon payment of their annual affiliation dues and meeting the requirements of Section 1 will entitle such Clubs and Organizations to appoint 5 members to this Caucus.

### **Section 4.**

Those members facing financial challenges or setbacks may have part or all dues waived in accordance with CDP bylaws and review by the Executive Committee of this Caucus.

## **Section 5.**

The B&P Caucus is prohibited from discriminating on the ground of race, color, creed, national origin, sex, age, religion, ethnicity, sexual orientation, disabilities as defined by the Americans with Disabilities Act of 1990, or economic status.

## ***ARTICLE III — Meetings***

### **Section 1.**

Regular meetings of the entire Business and Professional Caucus will be held in conjunction with the regularly scheduled meetings of the State Central Committee and its Executive Board.

### ***Section 2.***

Special meetings of the Business and Professional Caucus may be called:

- (a) Upon call of the Caucus Chairperson, or
- (b) Upon call of the Chairperson, who shall call a special meeting within 15 days immediately following his/her receipt of a written request for a special meeting signed by not fewer than 25 members of the Caucus, or
- (c) Upon the call of the Caucus Executive Committee.

### ***Section 3.***

All meetings shall be conducted in compliance with Robert's Rules of Order except as otherwise provided in these by-laws as interpreted by the parliamentarian or by the Chairperson in the absence of the parliamentarian.

### ***Section 4.***

Meeting of the Business and Professional Caucus shall be scheduled at a time that provides for optimum attendance and be noticed to members. Meetings shall be noticed to the members electronically, by phone, by mail, or by other mutually acceptable method of communication of the members and the Caucus leadership

### ***Section 5.***

A statewide conference of the Business and Professional Caucus may be called annually, in any of the methods and manners set forth in Section 2. at a time and place to be determined by the Executive Committee of the Caucus.

## **ARTICLE IV - Officers**

### **Section 1.**

Officers of this caucus shall be a Chairperson, a First Vice Chair, a Second Vice Chair, a Secretary, and a Treasurer.

### **Section 2.**

Any Article II, Section 1. member of the B & P Caucus shall be eligible for any elective or appointive office in the Caucus.

## ***ARTICLE V — Executive Committee***

### **Section 1.**

The Executive Committee of the Business and Professional Caucus shall be composed of all Officers of the Caucus as stated per Article IV Section 1, the Parliamentarian and no more than seven at-large members.

### **Section 2.**

The at-large members of the Executive Committee shall be appointed by the Chairperson with the advice and consent of the Executive Committee.

### **Section 3.**

The Parliamentarian shall be appointed by the Chair, with the advice and consent of a majority of the executive committee and shall have the duty and responsibility to ensure that all meetings are orderly and run in accordance with Robert's Rules of Order and with these By-laws.

### **Section 4.**

Chairpersons of all standing committees shall be appointed by the chairperson of the Caucus, with the advice and consent of a majority of the Executive Committee.

### **Section 5.**

The duties and responsibilities of the Executive Committee are:

- (a) To exercise general supervisory and administrative authority over the Business and Professional Caucus.
- (b) To confirm nominations made by the Chairperson for the offices of Parliamentarian and for chairs of all standing Committees or of any special committees which the Chairperson may deem necessary from time to time in the execution or implementation of his/her administrative program for the interest, betterment, improvement, growth and/or advancement of the Business and Professional Caucus or the causes which the Caucus espouses, promotes or supports.
- (c) To formulate and implement the plans, programs and agenda for the operation, functioning, work and service of the Business and Professional Caucus, both for the California Democratic Party and the Business and Professional Community which the Caucus is dedicated to serve.

## ***ARTICLE VI — Powers and Responsibilities of Officers***

### **Section 1.**

The Caucus Chairperson shall be the principal executive officer and the official spokesperson of and for the Caucus. The Chairperson shall carry out the policies of the Caucus and shall perform the actions necessary and reasonable to effectuate the purposes of the Caucus. The Chairperson is the Caucus' representative to the Executive Board of the CA Democratic Party State Central Committee.

### **Section 2.**

The Caucus Vice Chairs shall do all things that are necessary to aid and assist the Chairperson in the performance of his/her duties and, in the absence of the Chairperson, assume the responsibilities of the Chairperson. One Caucus Vice Chair must be from Northern California and the other Vice Chair must be from Southern California. The First Vice Chair shall be from the opposite region of the Caucus Chairperson.

### **Section 3.**

The Treasurer shall collect and account for the receipt and transmission of funds as required by the CDP Bylaws.

### **Section 4.**

The Secretary shall maintain all records of the Caucus, serve all required notices, and discharge all such duties as pertain to the office of Secretary. The Secretary shall send minutes and meeting notices to all members in writing within 45 days after a meeting is held.

## ***ARTICLE VII – Election of Officers***

### **Section 1.**

All elective officers shall be elected at the first meeting of each Democratic State Central Committee, held for organizational purposes in the odd numbered years following the general elections.

### **Section 2.**

All elective officers shall be elected by a simple majority of the members present and voting at the election meeting.

### **Section 3**

All candidates or office must be duly credentialed members of the Democratic State Central Committee of the California Democratic Party.

### **Section 4.**

A candidate for any office shall file a notice of intent-to-run for that office. The notice must be received by the Secretary of the Caucus by 11:55 PM of the day which is 7 calendar days prior to the meeting of the Caucus at which elections are to be held. If no Secretary exists, the notice may be filed with the Chairperson. Following the close of nominations for officers, no additional nominations shall be permitted, except for an office for which no person has been nominated prior to the close of nominations or for which all persons nominated have withdrawn. All candidates for Caucus Chair must have been members of this Caucus for the last three meetings prior to, at, the election meeting and all officer candidates must be members in good standing of the organization at the time of election.

## ***ARTICLE VIII – Term of Office*** –

The term of office for all officers shall be two years from the time of election and installation, unless otherwise provided in these By-laws.

## ***ARTICLE IX – Vacant Office***

Vacancy in any office, except Chair, shall be filled by special election only in cases where the unexpired term in question exceeds six months. In cases where the unexpired term equals six months or less, a vacancy in the office of Chairperson shall be filled by the Vice-Chairperson, and vacancies in all other offices shall be filled by appointment of the Executive Committee with advice and consent of a voting majority at the next succeeding Caucus session. In the event the Caucus Chairperson position becomes vacant before the end of their term, then the First Vice Chair shall automatically ascend to become Chair.

## ***ARTICLE X – Voting***

### **Section 1.**

Voting shall be in person only.

### **Section 2.**

Voting for the election of officers shall not be by written secret ballot.

### **Section 3.**

Voting and related actions of support/endorsement taken, by the Caucus, on behalf of candidates for partisan or nonpartisan public office will occur in accordance with CDP Bylaws, including any prohibitions contained therein. The CDP Rules Committee will ensure that CDP Bylaws rules on endorsement are followed by the Caucus.

## ***ARTICLE XI — Removal from Office or Membership***

### **Section 1.**

An officer of the Business and Professional Caucus may be removed by cause by the following procedure: Written charges of malfeasance, nonfeasance, and or misfeasance, brought by no fewer than 10 members of the Caucus, shall be submitted to the Secretary, who will notify the accused officer, and all members of the Executive Committee, of the charges. The Committee shall then determine whether the charges and the evidence supporting the charges are sufficient to justify proceedings against the officer.

## ***Section 2.***

If the Executive Committee finds, after a review, study and evaluation of the evidence, that the evidence is insufficient to warrant or justify proceedings, the charges shall be dismissed by the Executive Committee. Section 3.

If the Executive Committee finds, after a review, study and evaluation of the evidence, that the evidence is sufficient to warrant or justify proceedings against the accused officer, the Executive Committee shall hold a hearing, after due and timely notice, or appoint a hearing committee to conduct a fact-finding hearing of the charges and the written response of the accused, and to report its findings to the Executive Committee at its next regular or special meeting. Witnesses for both the accuser and the accused may give testimony at the hearing. After submission of all the evidence and proper deliberations thereon, the hearing committee will make its findings of fact and submit them, together with its recommendations, to the Executive Committee for ultimate resolution of the dispute.

## **Section 4.**

A two-thirds vote of those Executive members present and voting shall be required to punish or remove from office the officer charged.

## **Section 5.**

If either party to the dispute is unhappy or dissatisfied with the resolution of the dispute by the Executive Committee, he/she may appeal the decision of the Executive Committee to the full Business and Professional Caucus at its next regular or special session.

## **Section 6.**

If the decision of the Executive Committee is appealed to the full Caucus, a two-thirds vote of those Caucus members present and voting shall be required to overrule the decision of the Executive Committee. No further appeal can or may be made from the decision of the Caucus in such matters.

## ***ARTICLE XII — Quorum***

### **Section 1**

Six fully accredited members of the Business and Professional Caucus shall constitute a quorum when meeting in conjunction with the Executive Board of the California State Central Committee.

Section 2.

For any other meeting of the Caucus, a quorum shall be 25 fully accredited members.

## ***ARTICLE XIII — Dues***

### **Section 1.**

The annual membership dues of the Business and Professional Caucus shall be \$20. Any member who fails to pay the prescribed dues may have their membership rescinded from the Caucus, except that payment of dues shall not be obligatory for any member to whom it constitutes an economic hardship.

### ***Section 2.***

Annual membership dues for duly elected Democrats to Public Office in the State of California shall be \$50 per year.

### **Section 3.**

Affiliated Business and Professional Clubs or Organizations will pay \$100 annual affiliation dues which will entitle them to appoint 5 members to this Caucus in accordance with Section 1.

## **ARTICLE XIV- Standing Committees**

### ***Section 1.***

There shall be a standing committee on Bylaws, which shall be known as the Bylaws and Revision Committee, whose function, duty and responsibilities shall be to write and prepare proposed amendments and revisions to these Bylaws. The committee shall consist of the officers of the Caucus and/or any other members appointed by the Caucus Chairperson.

### ***Section 2.***

There shall be a standing committee on membership whose responsibility shall be to promote and solicit membership cards and maintain application forms on credentialed and associate members.

### ***Section 3.***

The Executive Committee shall have the right to form other such committees as it may deem reasonably necessary to assist in the functioning of the caucus.

Section 3.

The Chairperson of the Business and Professional Caucus shall be an ex-officio of every standing committee and of any and every special committee of the Caucus. Each standing committee shall meet at the regularly schedules Business and Professional Caucus meeting or at the call of its chairperson.

## ***ARTICLE XV – Resolutions, Proposals, and Endorsements***

Only those resolutions presented in writing by members of the Business and Professional Caucus will be considered for adoption by the Caucus.

## ***ARTICLE XVI – Amendments***

### ***Section 1.***

These Bylaws may be amended by any member at a meeting of the full Business and Professional Caucus subject to a two-thirds majority of the Caucus members present and voting. Any bylaw amendment proposed by the unanimous support of the Executive Committee may be amended by a simple majority or 50 percent, plus 1 vote of those members present

### ***Section 2.***

Proposed amendments must be submitted to, and received by the Secretary of the Caucus not less than one month prior to the meeting at which they are to be voted on.

### ***Section 3.***

Copies of any proposed amendments must be communicated to each member of the Caucus at least 15 days prior to the meeting at which they are to be voted on.

## ***ARTICLE XVII – Effective Date of Amended Bylaws***

Amendments to these Bylaws shall become effective immediately upon their adoption by the Business and Professional Caucus of the California Democratic State Central Committee, and a copy will be filed with the Rules committee of the California Democratic State Central Committee.