

BCDP Rules committee report for 1/13/2007 CEC meeting:

In meetings December 27th 2006 and January 3rd and 10th 2007, the continuing rules committee discussed and drafted amendments to implement the CEC resolution which was approved in response to Andrew Thomas's report on legal matters, and to better define responsibilities and to better manage the BCDP's affairs in accord with experience in the 2006 campaign.

Members present were co-chairs Zada True-Courage and Ian Straus; Larry Meads, Nancy Timmer-Froment; and also Andrew Thomas, who became a voting member of the committee at the 3rd meeting.

The committee unanimously moves the following amendments to the continuing rules of the BCDP.

Proposed amendments to Article IX, Administration:

Issues #1-3: Addition of a campaign sub-budget rule, specifically mentioning the primary account required by the State, and combining all budget sections into IX.B.7:

Issue #1: The committee moves to add to title Article IX(Administration). Section B (Finances) section #7 "Budget" and to give it three sub-sections. The current section 7 text to be sub-section 7a . Sections in Article IX after IX.B. 8 will be re-numbered sequentially, 9 to be 8 et cetera.

Issue #2: To add a second sub section, 7b to deal with campaign sub-budgets and authorizing a campaign account as follows:

7(b) For each general election campaign season, a campaign sub-budget shall be proposed by the Campaign committee, processed through the Budget and Finance committee, and presented to the CEC for approval. This sub-budget will be a living document, and the Campaign committee will propose amendments to it as circumstances require. The Budget and Finance committee will recommend whether a separate BCDP campaign bank account should be approved.

Issue #3: The current section 8 on the primary fund, to be amended with this addition at the end, and to be re-numbered as 7c:

As required by law or State administrative regulation a separate BCDP primary fund bank account will be established in an account approved by the CEC, and all primary fund money from the State will be deposited into this account.

Issue #4: Reporting of large items of income

The committee moves to add to Article IX (Administration). Section B (Finances) a sub section #12 as follows:

12. When single items of income of \$5,000 or more, or greater than 25% of funds on hand, are received, all members of the Executive Council and the Budget committee must immediately be informed, and the fact must be reported to the CEC at its next meeting. If the Party has more than one bank account, and the issue is not already decided by CEC policy or law, the Executive Council will decide into which account such funds will be deposited.

Issue #5: Funding decisions, when money on hand is less than the budget

The committee moves to add to Article IX(Administration). Section B (Finances) a sub section #13 as follows:

13. When the un-reserved money on hand is less than the total budgeted to be spent for a period or a purpose, decisions must be made as to which budgeted items will be funded or partially funded. The Executive Council will make these funding decisions after considering advice from the Budget and Finance committee, bearing in mind any priorities set by the CEC. Such decisions will be reported to the CEC at its next meeting.

Issue #6: Financial reserves, a general rule

The committee moves to add to Article IX(Administration). Section B (Finances), a sub section #14 as follows:

14. The Budget and Finance committee may recommend, and the CEC may adopt, policies creating financial reserves for specific purposes (for example, to pay the rent on the headquarters). These policies will cover both the accumulation and the disbursement of such reserves. Such policies will be enforced under law as well as by the CEC, and the officers of the BCDP have a positive obligation to enforce such policies.

Issue #7: Not to become an agent of the donor

The committee moves to add to Article IX(Administration). Section B (Finances), a sub section #15 as follows:

15. The BCDP will not become an agent for a pass-through of money earmarked by a giver to be passed to a specific recipient or candidate's campaign, or for an activity not previously budgeted by the CEC. No donation will be accepted if it contravenes this paragraph.

Issue #8: We will not go into debt.

The committee moves to add to Article IX(Administration). Section B (Finances), a sub section #16 as follows:

16. The Bexar County Democratic Party will not go into debt by either borrowing money or making campaign expenditures which can not be covered by money on hand.

Issue #9: Limitation of authority to make legal concessions

The committee moves to add to Article IX(Administration) a Section D (Legal), as follows:

D. Legal:

1. No person will engage in legal action on behalf of the BCDP without authority from the CEC.
2. The CEC has final determination as to any litigation or any negotiation with respect to any legal activity.
3. The Executive Council shall manage the daily legal business of the BCDP, dealing with attorneys and consulting the Budget and Finance Committee co-chairs regarding financial impact. However the CEC must approve all material measures.

Proposed amendments to Article II, Deputy Chairs:

Issue #10: To make it practical to replace Deputy Chairs:

The committee moves to amend Article II (Deputy chairs) paragraph D as follows, and to add paragraphs E and F, to read:

D. Procedure to remove from office:

1. Recall: “A Deputy Chair may be removed from office for malfeasance, nonfeasance, or misfeasance, under the following recall procedure:

- (1) Upon submission of a recall petition signed by one quarter (1/4) of the seated precinct chairs in that county commissioner’s precinct, or
- (2) Upon an accusation by the County Chair, who must document knowledge of malfeasance or non- participation in the BCDP’s business for an extended period, the County Chair will give at least five (5) days written notice [excluding legal holidays] to the Precinct chairs from that Commissioner’s Precinct to meet, naming the place, time, and purpose of the meeting and informing the Deputy Chair of the particulars alleged.

2. Hearing:

- a) The quorum for such a meeting will be ten (10) precinct chairs,
- b) Its first order of business will be to establish a roll and for the County Chair to cause the participants to elect a temporary chair from among them to chair the hearing.
- c) Those making charges will present them and witnesses will be subject to questioning.
- d) After a hearing and opportunity for defense, a majority of the precinct chairs present from that Commissioners Precinct may vote by roll call to remove and replace their Deputy Chair.
- e) The results of this meeting will be submitted in writing and reported to the CEC.

3. Notice: The County Chair shall then send a notice of this result to the Deputy Chair within ten days.

E. Forfeit: Deputy chairs who vacate their office as precinct chairs automatically forfeit their Deputy office. A new deputy will be elected by the Precinct Chairs in that commissioner's precinct at the next CEC meeting, by a majority of those present.

F. Redistricting: In the event that redistricting moves a Deputy Chair out of his or her commissioner's precinct, a new deputy will be elected by the Precinct Chairs in that commissioner's precinct at the next CEC meeting, by a majority of those present.