



O'ahu County Democrats
Convention Rules Committee

March 28, 2022

TO: DPH 2022 State Convention Rules Committee

FROM: Secretary, O'ahu County Committee

RE: Rules submission from the O'ahu County Democrats Convention

The annual O'ahu County Democrats Convention was held on Saturday, March 19, 2022 via Zoom. During the convention, the rules amendments included below were adopted for submission to the Democratic Party of Hawai'i (DPH) 2022 State Convention.

On behalf of the O'ahu County Committee, I am submitting the enclosed 31 rules amendments for consideration by the DPH 2022 State Convention Rules Committee in accordance with Rule 7 of the Standing Rules of the 2022 Biennial Convention of the Democratic Party of Hawai'i.

Carlos A. Santana

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Secretary

O'ahu County Committee

1. Amendment to DPH Constitution, Article VIII, Section 3 with Section 4 Added:

Constitution, Article VIII, Section 3, lines 2-6 (590-594).

Present text:

DPH Constitution, Article VIII, Section 3, Candidate Support of Platform, Resolutions, Constitution and Bylaws.

Every Democratic Party candidate for election to office, whether Federal, State or County, and every member of the Democratic Party of Hawai'i shall support the Party Platform. Every member of the Democratic Party of Hawai'i shall support candidates who are members of the Party and request the Party's support in the general, special or nonpartisan elections

As amended in Ramseyer format:

DPH Constitution, Article VIII, Section 3, Candidate Support of Platform, Resolutions, Constitution and Bylaws.

Every Democratic Party candidate for election to office, whether Federal, State or County, and every member of the Democratic Party of Hawai'i should be expected to ~~shall support, to the maximum extent possible,~~ the Party Platform. ~~Every member of the Democratic Party of Hawai'i shall support candidates who are members of the Party and request the Party's support in the general, special or nonpartisan elections.~~

Add new Section 4: **Party Support of Democratic Party Candidates.**

Every member of the Democratic Party of Hawai'i shall support candidates who request the Party's support in the general, special, or nonpartisan elections. To be eligible for such support, the candidate must be a member in good standing and must have completed the DPH Candidate Statement.

In nonpartisan races in which there is no DPH supported member as defined above, DPH members may support any candidate they believe will best be able to carry out the DPH platform, Constitution and Bylaws and adopted resolutions.

The Democratic Party of Hawai'i or any unit thereof shall not endorse any candidate in any race in which more than one Democratic candidate is running.

This proposal affects any unit of the Democratic party, including the State Central Committee and sub-units, that seeks to endorse candidates in political races.

Rationale:

The amended Section 3 deals with what the candidate should be supporting and the new Section 4 covers which candidates Party members may support. In nonpartisan races Party members may support non-Democrats. The Democratic Party may not endorse any candidate in a race in which there are more than one Democrat running. In nonpartisan races, Party members may support non-Democrats. For example, in nonpartisan races you could have: two republicans in a runoff; an “independent” running against another “independent” in a runoff; and candidates who never registered for a political party.

2. Bylaws, Article IX, Section 1, Candidate Support of Platform, Resolutions, Constitution and Bylaws

Bylaws Article IX, Section 1, page 34 lines 31-33 (1438-1440)

Present text:

Lines 31 to 33: A candidate who fails to abide by these requirements shall not be eligible for Party endorsement by the respective County Committees or the State Central Committee and is subject to reprimand by the Democratic Party of Hawai‘i.

As amended:

Lines 31 to 33: A candidate who fails to abide by these requirements shall not be eligible for Party support endorsement by the respective County Committees or the State Central Committee [~~and is subject to reprimand by the Democratic Party of Hawai‘i~~].

Rationale: History indicates that the Party has not utilized the “reprimand” provision for those not completing the Candidate Statement Form; hence, why include the “reprimand” statement? It serves no purpose.

Impact on Other Provisions of the Constitution & Bylaws: DPH Bylaws, Art I, Section 8A, Grounds for Expulsion, Reprimand or Censure does not include the failure to complete the Candidate Statement Form as one of the reasons for reprimand.

Impacts the State Central Committee and other units of the Democratic Party who may make endorsements.

3. Constitution, Article I, Section 5: Disciplinary Action

DPH Constitution, Article I, Membership, Section 5, page 1, lines 110-113.

Present text:

Section 5. Disciplinary Action. A member of the Democratic Party of Hawai‘i shall be subject to expulsion, reprimand, or censure for reasons and in keeping with procedures provided in the Bylaws of the Democratic Party of Hawai‘i.

Amend to read:

Section 5. Disciplinary Action. A member of the Democratic Party of Hawai‘i shall be subject to expulsion, suspension, reprimand, removal, or censure for reasons and in keeping with procedures provided in the Bylaws of the Democratic Party of Hawai‘i.

Rationale: To be consistent with the DPH Bylaws, Article I, Section 8, Expulsion, Reprimand or Censure that is being proposed to be amended to read, Article I, Section 8, Expulsion, Reprimand, Removal or Censure.

Effect on other provisions of the Bylaws: DPH Bylaws, Article I, Section 8, Expulsion, Reprimand or Censure.

Impacts those units of the Democratic Party involved in disciplining members.

4. Bylaws Article I, Section 8: Expulsion, Reprimand, or Censure 8A(1) and Part of 8A(2)

Bylaws, Article I, Section 8: 8A(1) and part of 8A(2), page 5 lines 188-197.

Present text:

Section 8. Expulsion, Reprimand, or Censure.

8A. Grounds for Expulsion, Reprimand or Censure:

- (1) Mandatory Expulsion. A member of the Democratic Party of Hawai‘i shall be automatically expelled from the Party for the following reasons:**
 - (a) Membership with a political party other than the Democratic Party; or
 - (b) Filing as a candidate of a political party other than the Democratic Party.

- (2) Permissive Expulsion, Reprimand and Censure. A member of the Democratic Party of Hawai‘i may be expelled, reprimanded or censured for the following reasons:**
 - (a) Active support or promotion of a political party or any candidate(s) of a political party other than the Democratic Party. Examples of active support include, but are not limited to, making monetary or in-kind contributions, accepting a position in an opposition campaign, sign waving, letter writing, appearance in campaign ads, resigning from the Democratic Party to support another political party and rejoining the Democratic Party.

Amend to read:

Section 8. Expulsion, Reprimand, or Censure

8A. Grounds for Expulsion, Suspension, or Reprimand [~~or Censure~~]:

- (1) Mandatory Expulsion. A member of the Democratic Party of Hawai‘i shall be automatically expelled from the Party for the following reasons:**
 - (a) Membership with a political party other than the Democratic Party; or
 - (b) Filing as a candidate of a political party other than the Democratic Party.

- (2) Permissive Expulsion, Suspension, or Reprimand [~~and Censure~~.] A member of the Democratic Party of Hawai‘i may be expelled, suspended, or reprimanded [~~or censured~~] for the following reasons:**

Rationale: Adds the penalties of Suspension and Removal to the options available for disciplinary action, “Suspension” is added to accommodate the Party’s Policy Against Sexual Violence, Harassment and Bullying as approved by the SCC on Sep 4, 2021. Censure is

covered in new proposed section of the DPH Bylaws, i.e., Art I, Section 8D, Censure and/or Removal and is therefore deleted in this sub-section.

This section has labeling implications for the rest of Section 8.

Affects those unites of the Democratic Party responsible for disciplining members.

5. Bylaws, Article I, Section 8: Expulsion, Reprimand or Censure, 8A(2)(a):

Bylaws, Article I, Section 8A(2)(a), page 5, lines 198-204.

Present text:

- (a) Active support or promotion of a political party or any candidate(s) of a political party other than the Democratic Party. Examples of active support include, but are not limited to, making monetary or in-kind contributions, accepting a position in an opposition campaign, sign waving, letter writing, appearance in campaign ads, resigning from the Democratic Party to support another political party and rejoining the Democratic Party.

As amended in Ramseyer format:

- (a) Active support or promotion of a political party or any candidate(s) of a political party other than the Democratic Party, except in nonpartisan races. Examples of active support include, but are not limited to, making monetary or in-kind contributions, accepting a position in an opposition campaign, sign waving, letter writing, appearance in campaign ads, resigning from the Democratic Party to support another political party and rejoining the Democratic Party

Rationale: If the DPH Constitution is amended as in Proposal 1 above, a DPH member may support a non-Democrat in a nonpartisan race as long as there is no Democrat in the race. This amendment makes this provision consistent with the corresponding Constitutional provision by not allowing for punishment if the race is nonpartisan.

Impacts those units of the Democratic Party responsible for disciplining members.

6. Bylaws Article I, Section 8A(2)(b) through (2)(f)

Bylaws Article I, Section 8A(2)(b) through (2)(f). page 5. Lines 198-213.

Present text:

(2) Permissive Expulsion, Reprimand and Censure. A member of the Democratic Party of Hawai'i may be expelled, reprimanded or censured for the following reasons:

- (b) Failure of a candidate for an elective office or an elected official to follow and abide by the Constitution of the Democratic Party of Hawai'i, and regulations of the Party campaign committees as approved by the State Central Committee or respective County Committee.
- (c) Violation of the Constitution or Bylaws of the Democratic Party of Hawai'i and/or platform of the Party.
- (d) Violation of governmental ethics codes as adjudicated or determined by the State Ethics Commission, the County Ethics Commission, the Office of Disciplinary Counsel, the State House, the state senate, or the courts.

Amend to Read:

(2) Permissive Expulsion, Suspension, or Reprimand {~~and Censure~~}. A member of the Democratic Party of Hawai'i may be expelled, suspended, or reprimanded ~~or censured~~ for the following reasons:

- (b) Failure of a candidate for an elective office or an elected official to follow and abide by the Constitution and Bylaws of the Democratic Party of Hawai'i, and regulations of the Party campaign committees as approved by the State Central Committee or respective County Committee.
- (c) Violation of the Constitution or Bylaws of the Democratic Party of Hawai'i and/or platform of the Party.
- (d) Violation of governmental ethics codes as adjudicated or determined by the State Ethics Commission, the County Ethics Commission, the Office of Disciplinary Counsel, the State House, the State Senate, or the courts.
- (e) Conviction of criminal acts for which the member has been found guilty by a federal or state court of law.
- (f) Sexual Violation, Harassment, or Bullying

Rationale: Adds "Bylaws" to 8A(2)(b) as one of two governing documents that Party members must abide by. Rules 8a(2)(e) and (f) add additional reasons for permissive expulsion, suspension, or reprimand. Fills void of provisions for complaints of misconduct. Censure is covered in new section of the DPH bylaws, i.e., Art I, Section 8D.

Impact on those units of the Democratic Party responsible for disciplining members.

“Censure” is covered in the new Article I, Section 8D.

7. Bylaws Article I, Section 8B, Procedure, Part 8B(1) Limitations and 8B(2) Complaint

Bylaws Article I, Sections 8B(1) and (2). Pages 5-6, lines 215-228.

Present text:

- 8B. Procedure. The procedures for expulsion, reprimand or censure are outlined below.
- (1) Limitations. Any complaint charging a member with cause for expulsion, reprimand or censure shall be made no later than one hundred and eighty (180) days after the discovery of the violation.
 - (2) Complaint. The complaint shall be in writing. The complaint shall state the rule(s) which have been violated, the activities alleged to have been committed, the date(s) of these activities. Each allegation shall be numbered. Each allegation shall be accompanied by evidence of such activities. The complaint shall be signed by one (1) Party member and endorsed by at least four (4) other Party members. The complaint shall be submitted to the County Secretary. It is the responsibility of the complainant to provide evidence to support the expulsion, reprimand or censure. Attached to the complaint shall be a list of any witnesses and the evidence to which they can attest. Each witness will prepare an affidavit attesting to the evidence.

As amended:

8B. Procedure. The procedures for expulsion, suspension, or reprimand [~~or censure~~] are outlined below.

- (1) Limitations. Any complaint charging a member with cause for expulsion, suspension, or reprimand, [~~or censure~~] shall be made no later than one hundred and eighty (180) days after the discovery of the violation, except for Sexual Violation, Harassment and Bullying complaints which has no time limitation.
- (2) Complaint. Any member of the Party may file a complaint. The complaint shall be in writing. The complaint shall state the rule(s) which have been violated, if applicable; the activities alleged to have been committed, the date(s) of these activities. Each allegation shall be numbered. Each allegation shall be accompanied by evidence of such activities. The complaint shall be signed by one (1) Party member and endorsed by at least four (4) other Party members. The complaint shall be submitted to the County Secretary[.] if the issue falls within the jurisdiction of the County and/or is made against an individual; otherwise, the complaint shall be filed with the Party Secretary. It is the responsibility of the complainant to provide evidence to support the expulsion, suspension, or reprimand [~~or censure~~]. Attached to the complaint shall be a list of any witnesses and the evidence to which they can attest. Each witness will prepare an affidavit attesting to the evidence. The State Central Committee or the County Executive Committee, as applicable, may dismiss with prejudice any complaint submitted without the required evidence.

- (3) Sexual Violation, Harassment, or Bullying Complaint. The procedures for filing a complaint based on Sexual Violation, Harassment, or Bullying shall be as specified in the DPH Policy Against Sexual Harassment & Bullying approved by the SCC on Sep 4, 2021.

Rationale: Distinguishes complaints processed under the jurisdiction of the State vs the County. Adds the penalty of suspension to accommodate the Party's Sexual Harassment and Bullying policy. Impact on other sections of the C&BL: Bylaws, Art I, 8A(2)(f).

Impacts those units of the Democratic Party responsible for disciplining members.

8. Bylaws Article I, Section 8B Procedure, 8B(3) Notice and 8B(4) Response

Bylaws Article I, Section 8B(3) and 8B(4), page 6, lines 229-236.

Present text:

(3) Notice. The accused member must be notified in writing by the County Secretary within ten (10) days of the receipt of a complaint.

(4) Response. The accused member shall have thirty (30) days from the date of notification to prepare a response. The accused member must respond to each allegation: admitted, denied, or denied in part. If an allegation is denied in part or in whole, the accused member shall provide any evidence supporting the denial. Attached to the response shall be a list of any witnesses and the evidence to which they can attest. Each witness shall prepare an affidavit attesting to the evidence.

As amended:

Added: (3) Sexual Violation, Harassment, or Bullying Complaint. The procedures for filing a complaint based on Sexual Violation, Harassment, or Bullying shall be as specified in the DPH Policy Against Sexual Harassment & Bullying approved by the SCC on Sep 4, 2021.

~~((3))~~ (4) Notice. The accused member Written notice must be ~~[notified in writing]~~ sent to the accused member by the County Secretary or Party Secretary, as applicable, within ten (10) days of the receipt of a complaint.

~~(4)~~ (5) Response. The accused member shall have thirty (30) days from the date [of notification] notice was sent electronically to prepare a response. The accused member must respond to each allegation: admitted, denied, or denied in part. If an allegation is denied in part or in whole, the accused member shall provide any evidence supporting the denial. Attached to the response shall be a list of any witnesses and the evidence to which they can attest. Each witness shall prepare an affidavit attesting to the evidence.

Rationale: This continues incorporating the SCC's sexual harassment policy into the Bylaws and distinguishes written notification requirements between the County and the State. Allows notices to be sent electronically.

Impacts those units of the Democratic Party involved in disciplining members.

This amendment is related to the addition made to Bylaws, Article I, Section 8B(3) (added).

9. Bylaws Article I, Section 8B Procedure, 8B(5) Investigation

Bylaws Article I, Section 8B(5), page 6, lines 237-50,

Present text:

(5) Investigation. The County Chairperson shall refer each complaint to the County Rules Committee or a special committee to investigate the charges (the “Investigation Committee”). The referral of complaint shall be reported to the County Committee at its next meeting and shall be recorded in the minutes. The Investigation Committee shall conduct a good faith investigation to determine if a violation of the rules has occurred. The Investigation Committee shall interview the accused member, the complainant, and any witnesses. The credibility of the complainant, the accused member or any witness may be challenged during the investigation. The Investigation Committee shall gather other facts as necessary for its finding, and shall, within thirty (30) days, submit a report and recommendation(s) to the County Chairperson. The Report shall include the Investigation Committee’s findings for each allegation; including any adverse findings regarding credibility; in addition, the Investigation Committee may recommend specific sanctions.

As amended:

~~(5)~~ (6). Investigation. The County Chairperson shall refer each complaint to the County Rules Committee or a special committee to investigate the charges (the “Investigation Committee”). The State Party Secretary shall refer each complaint under the jurisdiction of the State Central Committee to the State Party Chair. Upon receipt of the complaint, the State Party Chair shall appoint an Investigation Committee. The referral of complaint shall be reported to the County Committee or State Central Committee, as applicable, at its next meeting and shall be recorded in the minutes. The Investigation Committee shall conduct a good faith investigation to determine ~~[if a violation of the rules has occurred.]~~ the validity or merits of the complaint. The Investigation Committee shall interview the accused member, the complainant, and any witnesses. The credibility of the complainant, the accused member or any witness may be challenged during the investigation. The Investigation Committee shall gather other facts as necessary for its finding, and shall, within thirty (30) days, submit a report and recommendation(s) to the County Chairperson ~~or~~ or the State Central Committee, as applicable. The Report shall include the Investigation Committee’s findings for each allegation; including any adverse findings regarding credibility; in addition, the Investigation Committee may recommend specific sanctions.

Rationale: Clarifies the investigation process used by the County and the State.

Impact on other provisions of the Constitution & Bylaws: DPH Bylaws, Art I, Sec 8B(2), Complaint

Affects the State Central Committee and the County Committees because they are the bodies which will be responsible for carrying out an investigation.

10. Bylaws Article 1, Section 8B Procedure, 8B(6) Committee's Report

Bylaws Article I, Section 8B(6), page 6, lines 251-56.

Present text:

(6) Committee's Report. A copy of the Committee Report shall be provided to the accused member and the complainant. The report shall include the grounds upon which the expulsion, reprimand or censure is sought, the committee's findings and recommendations, and a list of County Committee members who are eligible to vote to accept, amend, or reject the committee's findings and recommendations.

As amended:

~~(6)~~ (7) Investigation Committee's Report. A copy of the Committee Report shall be provided to the accused member and the complainant, and to the County Committee, or State Central Committee, as applicable. The report shall include the grounds upon which the expulsion, suspension, or reprimand [~~or censure~~] is sought, and the committee's findings and recommendations, [~~and a list of County Committee or State Central Committee members who are eligible to vote to accept, amend, or reject the committee's findings and recommendations.~~]

Rationale: Clarifies who will receive the Investigation Committee's Report. Removes the requirement to include a list of County Committee or State Central Committee members who are eligible to vote to accept, amend, or reject the committee's findings in the report.

Impact on Other Provisions of the Constitution & Bylaws: None.

This amendment has an impact on the State Central Committee and the County Committees.

11. Bylaws Article I, Section 8B Procedure, 8B(7) Hearing

Bylaws Article I, Section 8B(7), pages 6-7, lines 257-273

Present text:

(7) Hearing. The County Committee shall place the complaint on the agenda at its next meeting following receipt of the Investigation Committee Report or by agreement with the accused member at some other time. Notice of the meeting shall be given to the member, the complainant and the County Committee at least seven (7) days prior to the hearing. Members of the County Committee shall be provided a copy of the report at this time for their consideration prior to the meeting. The Investigation Committee shall present its report in a meeting open to any interested Party member. The complainant, accused member, and any Party member shall be allowed to make a statement relating to the facts of the case or the committee's recommendation. The County Committee shall decide by majority vote whether to accept or reject the Committee Report and any sanctions. The County Committee shall give notice in writing of its decision to the Secretary of the State Central Committee, with a copy to the member and complainant within seven (7) days. A copy of the committee's report and the County Committee's decision shall be filed with the County Secretary and the Secretary of the State Central Committee and shall be available for inspection by Party members.

As amended:

~~((7))~~ (8) Hearing. The County Committee, or State Central Committee, shall place the complaint on the agenda at its next meeting following receipt of the Investigation Committee Report or by agreement with the accused member at some other time. Notice of the meeting shall be given to the member, the complainant and the County Committee, or State Central Committee, as applicable, at least seven (7) days prior to the hearing. Members of the County Committee, or State Central Committee, shall be provided with a copy of the report at this time for their consideration-prior to the meeting. The Investigation Committee shall present its report in a meeting open to any interested Party member. The complainant, accused member, and any Party member shall be allowed to make a statement relating to the facts of the case or the committee's recommendation. The County Committee, or State Central Committee, as applicable, shall decide by majority vote whether to accept, amend, or reject the Committee Report and any sanctions. The County Committee, or State Central Committee, as applicable, shall give notice in writing of its decision to the Secretary of the State Central Committee, with a copy to the member and complainant within seven (7) calendar days. A copy of the committee's report and the County Committee's, or State Central Committee's, decision shall be filed with the County Secretary and the Secretary of the State Central Committee and shall be available for inspection by Party members.

Rationale: Incorporates provisions that addresses the hearing process used by the County and the State, as applicable.

Impact on Other Provisions of the Constitution & Bylaws: DPH Bylaws, Art I, Section 8, Para 8B(6), Committee's Report.

Impacts the County Committees and State Central Committee.

12. Bylaws Article I, Section 8B Procedure, 8B(8) Appeal

Bylaws Article I, Section 8B(8), page 7, lines 274-285.

Present text:

(8) Appeal. A member expelled, reprimanded, or censured may appeal the decision of the County Committee to the State Central Committee by filing a written request with the Secretary of the State Central Committee within ten (10) days of receiving the written decision of the County Committee. If no appeal is submitted within the ten (10) days, the decision of the County Committee shall be final. If an appeal is submitted, a hearing shall be granted in open meeting of the entire State Central Committee within thirty (30) days. The State Central Committee shall review the Committee Report and accept comments from the County Chair, the Investigation Committee, the accused member and members of the State Central Committee. The State Central Committee shall decide the appeal by majority vote and shall transmit to the member a written notice of its decision within ten (10) days. The decision of the State Central Committee shall be final.

As amended:

~~(8)~~ (9) Appeal of a County Committee Decision: A member expelled, suspended, or reprimanded, ~~[or censured]~~ may appeal the decision of the County Committee to the State Central Committee by filing a written request with the Secretary of the State Central Committee within ten (10) days of receiving the written decision of the County Committee. If no appeal is submitted within the ten (10) days, the decision of the County Committee shall be final. If an appeal is submitted, a hearing shall be granted in open meeting of the entire State Central Committee within thirty (30) days. The State Central Committee shall review the Committee Report and accept comments from the County Chair, the Investigation Committee, the accused member and members of the State Central Committee. The State Central Committee shall decide the appeal by majority vote and shall transmit to the member a written notice of its decision within ten (10) days. The decision of the State Central Committee shall be final.

(10) (Added). Appeal of a State Central Committee Decision: The decision on a complaint filed with the SCC and acted upon is not appealable. The decision of the State Central Committee shall be final.

Rationale: Whether the complaint originates with the County Committee or in the State Central Committee, the decision of the SCC shall be final and not appealable.

Impact on Other Provisions of the Constitution & Bylaws: DPH Bylaws, Art I, Section 8B(2), Complaint.

Impacts the State Central Committee and the County Committees.

13. Bylaws Article I, Section 8 Procedure, 8C Sanctions and Enforcement 8C(1) and (2)

Bylaws Article I, Section 8C(1) and (2), page7, lines 289-300.

Present text:

8C. Sanctions and Enforcement.

- (1) Mandatory Expulsion. Expulsion shall be automatic and implemented by the Secretary of the State Central Committee. After expulsion, the expelled member is barred from enrolling for membership for five (5) years. The Party shall take all reasonable action to prevent such person from running for office as a Democrat, serving in public office, or holding an office in the Party during the five-year period.
- (2) Permissive Expulsion. Expulsion shall be implemented by the Secretary of the State Central Committee. The Party shall take all reasonable action to prevent such person from participating in Party activities, running for public office as a Democrat, or serving in public office for the period provided in the decision of the County Committee or State Central Committee for at least three (3) years but not more than five (5) years.

As amended:

8C. Sanctions and Enforcement for Expulsion, Suspension, or Reprimand

- (1) Mandatory Expulsion. Expulsion shall be automatic and implemented by the Secretary of the State Central Committee. After expulsion, the expelled member is barred from enrolling for membership for five (5) years. The Party shall take all reasonable action to prevent such person from running for office as a Democrat, serving in public office, or holding an office in the Party during the five-year period.
- (2) Permissive Expulsion. Expulsion shall be implemented by the Secretary of the State Central Committee. The Party shall take all reasonable action to prevent such person from participating in Party activities, running for public office as a Democrat, or serving in public office for the period provided in the decision of the County Committee or State Central Committee for at least three (3) years but not more than five (5) years.
- (3) Suspension (Added). Suspension shall be implemented by the Secretary of the State Central Committee. The individual shall be barred from participating in Party events or from serving in their elected or appointed capacity with the Party for the duration of the suspension. Any member who violates the terms of their suspension may face removal from their position or expulsion from the DPH.

Rationale: Adds suspension as a sanction (from the DPH sexual harassment policy).
Impact on Other Provisions of the C&BLs: None.
Impact on the State Central Committee.

14. Bylaws Article I, Section 8C Sanctions and Enforcement 8C(4) Censure (delete)

Bylaws Article I, Section 8C(4) (delete)

Present text:

(3) Reprimand. The Party shall take all reasonable action to prevent such member from holding an office in the Party for up to three (3) years.

(4) Censure. In the case of censure by a County, an official letter of censure shall be written by the County Chair. In the case of censure by the State Central Committee, an official letter of censure shall be written by the Party Chair. The letter shall be addressed to the accused member with a copy to the complainant and shall be available for inspection by Party members. No additional sanctions shall apply. No further action shall be taken on the complaint.

(5) Voluntary Resignation. When a member has voluntarily resigned from the Democratic Party to engage in activities which are grounds for mandatory expulsion, the member shall be barred from re-enrolling for Party membership for at least three (3) years from the date of Resignation.

As amended:

~~[3]~~ (4) Reprimand. The Party shall take all reasonable action to prevent such member from holding an office in the Party for up to three (3) years.

~~[[4] Censure. In the case of censure by a County, an official letter of censure shall be written by the County Chair. In the case of censure by the State Central Committee, an official letter of censure shall be written by the Party Chair. The letter shall be addressed to the accused member with a copy to the complainant and shall be available for inspection by Party members. No additional sanctions shall apply. No further action shall be taken on the complaint.]~~

(5) Voluntary Resignation. When a member has voluntarily resigned from the Democratic Party to engage in activities which are grounds for mandatory expulsion, the member shall be barred from re-enrolling for Party membership for at least three (3) years from the date of Resignation."

Rationale: Deletes current definition of "censure." See amended definition of "censure" in the proposed DPH Bylaws, Art I, Section 8D, Censure and Removal.

Impact on Other Provisions of the Constitution & Bylaws: DPH Bylaws, Art I, Section 8, Expulsion, Reprimand, or Censure

Impact on State Central Committee and County Committees, who will have to deal with the new kind of "censure."

15. Bylaws Article I, Section 8D Censure and/or Removal (added section)

Bylaws Article I, Section 8D(1) (added), page 8, after line 314.

- (1) Censure. A motion to censure the behavior and or remarks of a member of the Party, which allows any of its County Committees or Caucuses to express consternation and disapproval, may be adopted by two-thirds vote of the membership so long as the party member to be censured has been notified 10 days in advance of the meeting and shall have the opportunity at the meeting to speak in defense.

Rationale: This new definition replaces the old definition of “censure.” The new “censure” allows the State Central Committee or the County Committees to express its disapproval of the words or conduct of a Party member without requiring the lengthy due process of the other sanctions.

Impact on other sections: DPH Bylaws Article I, Section 8C(4).

Impact on the County Committees and Caucuses.

16. Bylaws Article I, Section 8D Censure and/or Removal (second added section)

Bylaws Article I, Section 8D(2) (second added section), page 8, after line 312 and after the new section added in Proposal 15 above.

- (2) Removal from a Meeting. Nothing in these Bylaws shall prevent or restrict a presiding officer of the State Central Committee, a County Committee, Caucus, District Council or Precinct Club from ejecting for the duration of that meeting or session anyone who has committed an egregious or repeated breach of decorum.

Rationale: Makes clear that presiding officers have this ability to remove anyone in these circumstances.

Impacts the State Central Committee, County Committees, Caucuses, District Councils, and Precinct Clubs.

No impact on other sections.

17. Bylaws Article IX, General Provisions, Section 1, Candidate Support of Platform, Resolutions, Constitution and Bylaws

Bylaws Article IX, Section 1, page 34, lines 1420-1428.

Present text:

The State Central Committee and each county committee shall provide each Democratic candidate for elective office with a copy of the most recently approved State and County Party Platforms, Resolutions, Constitution, and the Bylaws of the Democratic Party of Hawai'i and the respective County Rules within seven (7) days after the legally established filing deadline. Said candidates shall submit Candidate Statement Forms provided by the State Central Committee indicating their agreement, disagreement, and or reservations with the Platform and Resolutions of the State and County party organizations within seven (7) days after receipt of the blank forms to the State Central Committee. Should the candidate draw or pull nomination papers prior to the biennial State Convention, then two (2) sets of Candidate Statement Forms shall be sent, filled out, returned and kept on file, one (1) set of forms relevant to the preceding biennial State Conventions Resolutions and Platform.

As amended:

The Secretary of State Central Committee and the Secretary of each county committee shall provide each Democratic candidate for elective office with a copy of the most recently approved State and County Party Platforms, Resolutions, Constitution, and the Bylaws [~~of the Democratic Party of Hawai'i and the respective County Rules~~] within seven (7) days after the legally established filing deadline. Said candidates shall submit Candidate Statement Forms provided by the State Central Committee indicating their agreement, disagreement, and or reservations with the Platform and Resolutions of the State and County party organizations within [~~seven (7) days~~] 14 calendar days after receipt of the blank forms to the State Central Committee.

Should the candidate draw or pull nomination papers prior to the biennial State Convention, then two (2) sets of Candidate Statement Forms shall be sent, filled out, returned and kept on file, one (1) set of forms relevant to the preceding biennial State Conventions Resolutions and Platform and one set of forms relevant to the current biennial State Conventions Resolutions and Platform.

Rationale:

Specifies an individual responsible for providing the documents to the candidates. It also extends the deadline for filling out the Candidate Statement Forms from seven to fourteen days. The seven-day limit is burdensome for candidates due to the number and nature of questions on the form.

Impact on Other Provisions of the Constitution & Bylaws: DPH Bylaws, Art 1, Section 8, Expulsion, Reprimand, or Censure.

Impact on the State Central Committee and the County Committees.

18. Bylaws Article IX, General Provisions, Section 1, Candidate Support of Platform, Resolutions, Constitution and Bylaws (second amendment of this section)

Bylaws Article IX, Section 1, page 34, lines 1420-1428

Present text:

The State Central Committee and each County Committee shall provide each Democratic candidate for elective office with a copy of the most recently approved State and County Party Platforms, Resolutions, Constitution, and the Bylaws of the Democratic Party of Hawai'i and the respective County Rules within seven (7) days after the legally established filing deadline. Said candidates shall submit Candidate Statement Forms provided by the State Central Committee indicating their agreement, disagreement, and/or reservations with the Platform and Resolutions of the State and County Party organizations within seven (7) days after receipt of the blank forms to the State Central Committee

Amend to read:

The State Central Committee and each County Committee shall provide each Democratic candidate for elective office with a copy of the most recently approved State [~~and County~~] Party Platform[s], [~~Resolutions,~~] Constitution, and the Bylaws of the Democratic Party of Hawai'i [~~and the respective County Rules~~] within seven (7) days after the legally established filing deadline. Said candidates shall submit Candidate Statement Forms provided by the State Central Committee indicating their agreement, disagreement, and/or reservations with the Platform [~~and Resolutions~~] of the State [~~and County~~] Party organization[s] within [~~seven (7)~~] fourteen (14) days after receipt of the blank forms to the State Central Committee.

Rationale:

This amendment goes over the same text of the bylaws as Proposal 17. This amendment means the candidate no longer has to worry about whether they agree with County statements of positions and with State Party resolutions.

The State and County Party Constitutions, Bylaws, Platforms and Resolutions together constitute hundreds of pages. In particular, the dozens of resolutions passed each biennium address numerous complex issues that candidates do not have time to study and knowingly agree to. The result is that some candidates do not answer, some agree without reading and some face backlash if they do not fully agree with any of the resolutions. Furthermore, many of the resolutions pass by narrow margins, meaning that many convention delegates disagree with them. Yet, under the current rules, candidates are required to agree. Better to stick to the shorter, clearer, unanimous and more stable platform. Also, fourteen days to reply is more reasonable than seven.

Impact on other Sections:
Article I, Section 8.

Impacts the State Central Committee and the County Committees.

19. Bylaws Article IX, Section 1, Candidate Support of Platform, Resolutions, Constitution and Bylaws (third amendment of this section)

Bylaws Article IX, Section 1, page 34, lines 1432-1440

Present text:

These Candidate Statement Forms, in turn, will be kept for review by Democratic Party members at State Party Headquarters. Further, relevant copies of the Candidate Statement Forms shall be made available to the four County Party Chairpersons so that each inhabited island with at least one (1) active Precinct Club has one (1) copy of the Candidate Statement Forms for review by Democratic Party members, with the exception of Hawai'i County, which shall have two (2), one (1) for East Hawai'i and one (1) for West Hawai'i. A candidate who fails to abide by these requirements shall not be eligible for Party endorsement by the respective County Committees or the State Central Committee and is subject to reprimand by the Democratic Party of Hawai'i.

As amended:

These candidate statement forms, in turn, will be kept for review by Democratic Party members at State Party Headquarters, and posted to the DPH website until the end of the general election. Further, relevant copies of the Candidates Statement Forms shall be made available to the four County Party Chairpersons so that each inhabited island with at least (1) active Precinct Club has one copy of the Candidate Statement Forms for review by Democratic Party members with the exception of Hawai'i County, which shall have two, one (1) for East Hawai'i and one (1) for West Hawai'i. A candidate who is in agreement with the Platform and Resolutions of the State and Party organizations shall be eligible for Party support upon request. A candidate who fails to abide by these requirements shall not be eligible for Party support or endorsement by the respective County Committees or the State Central Committee and is subject to reprimand by the Democratic Party of Hawai'i.

Rationale:

Makes these copies more accessible to the general public. Strengthens the requirement to fill out the candidate statement forms.

Impacts the State Central Committee and the County Committees.

20. Bylaws Article IX, General Provisions, Section 3, Availability of the Constitution and Bylaws

Bylaws Article IX, Section 3, page 34, lines 1448-1456.

Present text:

It shall be the responsibility of the newly elected State Central Committee to certify as official a complete copy of the newly amended Constitution and/or bylaws of the Democratic Party of Hawai'i. Each member of the State Central Committee and the respective County Committees shall be provided with an updated copy of the Constitution and or Bylaws within sixty (60) days of the conclusion of the State Convention, or in the case of an amendment within sixty (60) days of the date such amendment was adopted by the State Central Committee.

Any member may also receive a copy of this Constitution and Bylaws, upon requesting the same from the Secretary of the respective County Committee upon payment of a reasonable fee to cover the cost of copies and postage.

As amended:

~~[It shall be the responsibility of the newly elected State Central Committee to certify as official a complete copy of the newly amended Constitution and/or bylaws of the Democratic Party of Hawai'i.]~~ Each member of the State Central Committee and the respective County Committees shall be ~~provided~~ notified by the SCC secretary that- they may access an updated copy of ~~this~~ the Constitution and or Bylaws on the DPH website when it is posted. The updated Constitution shall be posted on the DPH website within sixty (60) days of the conclusion of the State Convention, or in the case of an amendment within sixty (60) days of the date such amendment was adopted by the State Central Committee.

Any member may also receive a hard copy of this Constitution and Bylaws, upon requesting the same from the Secretary of the respective County Committee and upon payment of a reasonable fee to cover the cost of copies and postage.

Rationale: These amendments bring the DPH into the digital age. Also, certification of documents is unnecessary and cumbersome.

Impacts the County Committees and the State Central Committee.

21. Constitution Article II (New) Section 1

Constitution Article II, Section 1 is deleted and replaced by a new Section 1, page 1, lines 117-119,

Present text:

ARTICLE ~~III~~ II-DISTRICT COUNCIL

Article III, Section 1. Organization.

~~There shall be a District Council in each Representative District which shall consist of all the Precinct Presidents and District Councilpersons of each Precinct Club and the duly elected Chairperson. Counties may include the Precinct First Vice President.~~

Amended text:

Article II, Section 1. Organization. [New]

The District, as defined by law, shall be the basic unit of the Party organization. There shall be one District Council in each Representative District.

Rationale:

This proposal is the first part of an initiative to replace the precinct club with the district council and to declare the District, not the Precinct, to be the basic unit of the Democratic party. This initiative replaces the current Article II with a modified version of Article III. It repeals the current Articles II and Article III (although the repeal of Article III is not contained in the package approved by the Oahu County Democrats Convention). It delegates to the State Central Committee changes to the Bylaws which need to be made as a consequence.

The new mail-in precincts will take effect during this election cycle.

1. Under the new precinct system, when the Party has to fill vacancies, the process will not be representative or fair. The new system will contain precincts of varying sizes. When the Party has to fill vacancies in the House and Senate, the basic democratic principle of one person, one vote will not be respected. The whole point of reapportionment is to respect that principle.
2. The Precinct Club system is not working as planned. Under both the old and new precinct systems, they could contain wildly different population and voter counts. Many precincts are too small to be viable and exist on paper only. There are 300-400 vacancies at the precinct officer level. Party membership and level of activity are declining. Something must be done.
3. Whereas most of the precincts exist on paper only, the Districts are related to the smallest unit of the State Election system. As a unit of the Party, the District is identical to the District of a State House Representative. There is one District Chair for every Representative, and both should work together.

We already know based on the boundaries which will soon take effect, that some new precincts will be non-viable. Rather than taking a wait-and-see approach, the Party should shift to a new Party structure now rather than change twice in consecutive election cycles, which would be doubly confusing.

Some problems with the new boundaries and precincts:

- One third of Senate Districts contain five or six House Districts.
- Three House Districts cross four Senate Districts
- Only 16 out of 51 House Districts are wholly within Senate Districts, which means 35 House Districts are within two or more Senate Districts. Since Oahu has 17 Senate Districts and 34 House Districts, the Commission could have made two House Districts equal one Senate District, but they chose instead to change the House Districts while keeping the Senate Districts the same. That resulted in the creation of slices of the new Districts being created as the new precincts.
- The new House District for Wahiawa contains 6 precincts: one precinct is the entire town of Wahiawa and Whitmore Village; the other contains Schofield Barracks, Wheeler AFB, and Waipio Acres. The remaining four are either small or empty. This was created because the Congressional boundary passes through this district. The absurdity is one precinct appears not to have a single public road.

We do not have to live with these new virtual precinct boundaries for the next ten years. Our proposal allows the DPH to ignore those new precincts and gives each District Council the authority to organize its District according to “areas” of its own design. This initiative is based on the belief that the District Council knows better than the Office of Elections how to organize the areas within its District.

Impacts on other sections of the Constitution and Bylaws:

“Precinct” or Precinct Club” must be removed from the following; Constitution Article II *passim*. Former Article III, section 1, Article VIII, sections 1 and 2; removed also from Bylaws Article I, Section 5, Section 6C, Article II *passim*. Article III, Sections 1 and 3, Article VI, Sections 2D and 2E.

Impacts on Precinct Clubs and District Councils.

22. Constitution Article II (new) Section 2

Article III, Section 2. Officers.

~~Officers of a District Council shall be a District Chairperson, not more than three (3) Vice Chairpersons, not more than two (2) Secretaries, and a Treasurer. The offices of the Secretary and Treasurer may be held by one (1) person. The officers of the District Council shall constitute the Executive Committee. Vacancies in any officer position shall be filled as provided in the Bylaws of the Democratic Party of Hawai'i.~~

Article II, Section 2. Officers. [New]

Each District Council will be comprised of the following officers: A District Chairperson; A First Vice Chairperson; a Second Vice Chairperson; a Secretary; a Treasurer; and four District Councilmembers.

Rationale: The new Article II, Section 2 replaces the section on officers from the old Article III.

This District Council is an expanded version of the old District Council. Unlike the old District Council, it is not composed of members of Precincts. This nine-person body governs the District.

Impacts Precinct Clubs and District Councils.

Impacts Constitutions Articles II and III.

23. Constitution Article II (new) Section 3

Article III, Section 3. Term of office.

~~The District Council, excepting the District Chairperson, shall take office no later than two weeks after the biennial District Council meeting and end at the time of the election of a successor but in no event past the two weeks after the biennial District Council meeting.~~

Article II, Section 3. Biennial Election of District Council Officers and Delegates to the State Convention.(borrowed from the existing Article II, Section 3A).

Democratic Party of Hawai'i members in a District shall meet to elect officers, delegates, and alternates as provided for herein and further provided for in the Bylaws of the Democratic Party of Hawai'i on the first Wednesday of March in every even numbered year or at such other times as may be determined by the State Central Committee ("the biennial election meeting"). Elections shall be by ballot if requested by any member present.

Rationale:

At the Biennial Election Meeting, the members of the District will elect the officers of the District Council (with the exception of the District Chairperson) and the delegates to the State Convention. Implied here and to be explicit in the Bylaws, these elected positions will be on an at-large basis.

Impacts Precinct Clubs and District Councils.

24. Constitution Article II (new) Section 4

Article III, Section 4. Meetings.

~~Regular meetings of the District Council shall be held at least three (3) times a year at such time and place as the Chairperson designates.~~

Article II, Section 4. Election of the District Council

4A. At the biennial election meeting the members of the District shall elect the officers of the District Council, except for the District Chairperson, who shall be duly elected at a meeting of the District Council immediately following the election meeting.

4B. District members seeking to become an officer of the District Council shall file a candidate declaration form with the appropriate County Committee two weeks prior to the election.

Rationale: Once again, these elections will be on an at-large basis. Requires candidates for positions on the District Council, including District Chairperson, to file candidate declaration forms so that members who attend the biennial election meeting will know in advance who is running.

Impact on District Councils and Precinct Clubs.

25. Constitution Article II (new) Section 5

Present text in Article II, Section 4:

Section 4. Officers of Precinct Club.

4A. The elected officers of the Precinct Club shall be a President, a First Vice-President, a Secretary, a Treasurer and the Precinct's District Councilperson. The Precinct Club may elect such other officers and alternates, including an Alternate District Councilperson for offices as it may deem necessary and may combine any two (2) offices except those of President, First Vice-president and the Precinct's District Councilperson. Precinct Club officers shall not be required to relinquish their positions if elected or appointed to the State Central Committee.

4B. Each officer shall take office immediately upon election and shall hold office from the time of election until a successor is duly elected, or until said officer moves out of the precinct.

4C. Vacancies in any officer position shall be filled as provided in the DPH Bylaws.

Amended text relabeled at Article II, Section 5:

Article II, Section 4. 5. ~~Officers of Precinct Club.~~ Terms of Office

~~4A. The elected officers of the Precinct Club shall be a President, a First Vice President, a Secretary, a Treasurer and the Precinct's District Councilperson. The Precinct Club may elect such other officers and alternates, including an Alternate District Councilperson for offices as it may deem necessary and may combine any two (2) offices except those of President, First Vice-president and the Precinct's District Councilperson. Precinct Club officers shall not be required to relinquish their positions if elected or appointed to the State Central Committee.~~

4B.5A. Each officer shall take office immediately upon election and shall hold office from the time of election until a successor is duly elected, or until said officer moves out of the District.

4C.5B. Vacancies in any officer position shall be filled as provided in the DPH Bylaws

Rationale: Borrows language from the existing Article II that referred to officers of precinct Clubs and applies it to District Council members.

Impact on Precinct Clubs and District Councils.

26. Constitution Article II (new) Section 6

Present text of Section 5 of the current Article II:

Section 5. Delegates and Alternates to the State Convention.

Each Precinct Club shall elect delegates to the State Convention as contained in the official Call of the Party, subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i. Election of alternates should be subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i. In the event the certified roster indicates insufficient membership for an equal number of alternates, the Precinct Club shall decide the number of alternates to be elected. No person shall vote in a meeting of more than one (1) Precinct Club held for the purpose of electing delegates/alternates to the State Convention.

As amended in the new Article II:

Section ~~5.6~~ Delegates and Alternates to the State Convention.

Each ~~Precinct Club~~ District shall elect delegates to the State Convention as contained in the official Call of the Party, subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i and the Democratic National Committee. Election of alternates should be subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i. ~~In the event the certified roster indicates insufficient membership for an equal number of alternates, the Precinct Club shall decide the number of alternates to be elected. No person shall vote in a meeting of more than one (1) Precinct Club held for the purpose of electing delegates/alternates to the State Convention.~~

New text would read:

Section 6. Delegates and Alternates to the State Convention.

Each District shall elect delegates to the State Convention as contained in the official Call of the Party, subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i and the Democratic National Committee. Election of alternates should be subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i.

Rationale:

Retains language in the current Article II regarding the election of delegates to the State Convention but replaces "Precinct Club" with "District." Deletes material relevant to Precinct Clubs.

The Bylaws should specify that the delegates will be elected on an at-large basis.

Impacts Precinct Clubs and District Councils.

27. Constitution Article II (new) Section 7

Present text in Article III:

Section 4. Meetings of the District Council.

Regular meetings of the District Council shall be held at least three (3) times a year at such time and place as the Chairperson designates.

As amended in the new Article II:

Section 4-7 Meetings of the District Council.

Regular meetings of the District Council shall be held at least three (3) times a year at such time and place as the Chairperson designates.

Rationale:

Moves Article III, Section 4 to Article II, Section 7.

Impacts District Councils.

28. Constitution Article II (new) Section 8

DPH Constitution Article II New Part 8

Present text:

Section 5. Duties and Responsibilities of the District Council.

5A. The District Council, at its first meeting on the first Tuesday in April, shall hear all challenges concerning the results of the biennial Precinct Club elections that may be brought before it by any Party member residing in the District. The District Council shall, not later than the second Tuesday in April, rule on every challenge concerning a Precinct Officer, or concerning the validity of a vote on, or the eligibility of a person voting on any question other than the election of State Convention Delegates.

5B. The District Council shall consider challenges concerning delegates to the State Convention as provided for in the Bylaws of the Democratic Party of Hawai'i.

5C. It shall be the duty of the District Council to establish and maintain an active and effective Party organization within its district to inform Democrats within the District of Party policy and activities, and to ensure as large a vote as possible for Party candidates in the election.

5D. To affect these ends, the District Council may adopt District platforms, consistent with the Party Platform adopted by the State Convention, and take such steps as are necessary to encourage officials of the District elected or appointed in the name of the Party to observe the Platform and Principles of the Party.

As amended:

Section 5. 8. Duties and Responsibilities of the District Council.

~~5A. The District Council, at its first meeting on the first Tuesday in April, shall hear all challenges concerning the results of the biennial Precinct Club elections that may be brought before it by any Party member residing in the District. The District Council shall, not later than the second Tuesday in April, rule on every challenge concerning a Precinct Officer, or concerning the validity of a vote on, or the eligibility of a person voting on any question other than the election of State Convention Delegates.~~

~~5 8B. The District Council shall consider challenges concerning delegates to the State Convention as provided for in the Bylaws of the Democratic Party of Hawai'i.~~

~~5-8C. It shall be the duty of the District Council to establish and maintain an active and effective Party organization within its district to inform Democrats within the District of Party policy and activities, and to ensure as large a vote as possible for Party candidates in the election.~~

~~5 8D. To affect these ends, the District Council may adopt District platforms, consistent with the Party Platform adopted by the State Convention, and take such steps as are necessary to~~

encourage officials of the District elected or appointed in the name of the Party to observe the Platform and Principles of the Party.

Rationale: Deletes “Precinct Club” concerns but retains the other duties.

Impacts District Councils and Precinct Clubs.

29. Constitution Article II (new) Section 8 (second part) and Section 9

As reads in current Article III:

Section 6. District Council Rules.

Each District Council may adopt rules for the proper conduct of its business not inconsistent or in conflict with the Constitution and Bylaws of the Democratic Party of Hawai'i or the Bylaws and Rules of the applicable County Committee.

As amended in new Article II:

8D. Also, to effect these ends, District Councils may organize areas within the District for the purposes of running effective campaigns for Party candidates.

Section-6 9. District Council Rules.

Each District Council may adopt rules for the proper conduct of its business not inconsistent or in conflict with the Constitution and Bylaws of the Democratic Party of Hawai'i or the Bylaws and Rules of the applicable County Committee.

Rationale:

The new Article II, section 8D provides the authority for the District Councils to organize its District into areas, which replace Precincts. Areas may serve the same purposes as Precincts, but they will be defined by the District Council and not by the Office of Elections. This change is based on the belief that a District Council will know better than the Office of Elections how to divide up a District to reflect organic neighborhoods and communities.

The new Section 9 retains the section on rules taken from current Article III, Section 6.

This proposal impacts the District Councils and Precinct Clubs.

30. Constitution Article II (new), Section 10

As is in current Article II:

Section 6. Use of the Name of the Democratic Party of Hawai'i.

No Precinct Club or combination of Precinct Clubs, or members of clubs, or committees shall be permitted to use the name of the Democratic Party of Hawai'i without first obtaining express and specific consent and authority of the appropriate County Committee or State Central Committee.

As amended in the new Article II:

Section-6 10. Use of the Name of the Democratic Party of Hawai'i.

No ~~Precinct Club or combination of Precinct Clubs, or members of clubs, or committees~~ District Council shall be permitted to use the name of the Democratic Party of Hawai'i without first obtaining express and specific consent and authority of the appropriate County Committee or State Central Committee.

Rationale: Retains this rule from the current Article II, Section 6.

Impacts Precinct Clubs, District Councils, the State Central Committee, and the County Committees.

31. Constitution Article II (repealed)

The DPH Constitution Article II is repealed except for those portions which have been incorporated into the new Article II as detailed in proposed amendments 21-30 above.

Present text of Constitution Article II:

ARTICLE II – PRECINCT CLUB

Section 1. Definition.

The Precinct Club shall be the basic unit of the Party organization. There shall be one Precinct Club in each precinct, as defined by law.

Section 2. Organization.

~~Initial organization of a Precinct Club shall be under the jurisdiction of the District Council of the district within which the precinct is located. A Precinct Club, once organized and recognized by the District Council, shall be the constituted body having jurisdiction in the precinct. Thereafter, no other Precinct Club in the same precinct may be organized unless and until such time as the club of record shall be declared by the Executive Committee of the District Council to be inactive as defined in this section and as further provided in the Bylaws of the Democratic Party of Hawai‘i.~~

Section 3. Biennial Election of Precinct Officers and Delegates to the State Convention.

~~3A. The Precinct Club shall meet to elect officers, delegates, and alternates as provided for herein and further provided for in the Bylaws of the Democratic Party of Hawai‘i, on the first Wednesday of March in every even numbered year or at such other times as may be determined by the State Central Committee (“the biennial election meeting”). Elections shall be by ballot if requested by any member present.~~

~~3B. Where no meeting is held because a quorum of one (1) person is not attained at the biennial election meeting, it shall be the duty of the members of that Precinct Club to attempt immediately a successful meeting. Where no officers have been elected in the current biennium, any member of the precinct may, by written petition to the respective District Council, request the initiation of precinct reorganization, as further described in the Bylaws of the Democratic Party of Hawai‘i.~~

Section 4. Officers of Precinct Club.

~~4A. The elected officers of the Precinct Club shall be a President, a First Vice President, a Secretary, a Treasurer and the Precinct’s District Councilperson. The Precinct Club may elect such other officers and alternates, including an Alternate District Councilperson for offices as it may deem necessary and may combine any two (2) offices except those of President, First Vice-president and the Precinct’s District Councilperson. Precinct Club officers shall not be required to relinquish their positions if elected or appointed to the State Central Committee.~~

~~4B. Each officer shall take office immediately upon election and shall hold office from the time of election until a successor is duly elected, or until said officer moves out of the precinct.~~

~~4C. Vacancies in any officer position shall be filled as provided in the DPH Bylaws.~~

Section 5. Delegates and Alternates to the State Convention.

~~Each Precinct Club shall elect delegates to the State Convention as contained in the official Call of the Party, subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i. Election of alternates should be subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i. In the event the certified roster indicates insufficient membership for an equal number of alternates, the Precinct Club shall decide the number of alternates to be elected. No person shall vote in a meeting of more than one (1) Precinct Club held for the purpose of electing delegates/alternates to the State Convention.~~

Section 6. Use of the Name of the Democratic Party of Hawai'i.

~~No Precinct Club or combination of Precinct Clubs, or members of clubs, or committees shall be permitted to use the name of the Democratic Party of Hawai'i without first obtaining express and specific consent and authority of the appropriate County Committee or State Central Committee.~~

Section 7. Club Rules.

~~Each Precinct Club may adopt rules for the proper conduct of its business not inconsistent or in conflict with the Constitution and Bylaws of the Democratic Party of Hawai'i or the Bylaws and Rules of the applicable County Committee.~~

The text of Article II as amended:

ARTICLE II DISTRICT COUNCIL

Section 1. Organization.

The District, as defined by law, shall be the basic unit of the Party organization. There shall be one District Council in each Representative District

Section 2. Officers.

Each District Council will be comprised of the following officers: A District Chairperson; A First Vice Chairperson; a Second Vice Chairperson; a Secretary; a Treasurer; and four District Councilmembers.

Section 3. Biennial Election of District Officers and Delegates to the State Convention.

Democratic Party of Hawai'i members in a District shall meet to elect officers, delegates, and alternates as provided for herein and further provided for in the Bylaws of the Democratic Party of Hawai'i, on the first Wednesday of March in every even numbered year or at such other times as may be determined by the State Central Committee ("the biennial election meeting").

Elections shall be by ballot if requested by any member present.

Section 4. Election of the District Council

4A. At the biennial election meeting the members of the District shall elect the officers of the District Council, except for the District Chairperson, who shall be duly elected at a meeting of the District Council immediately following the election meeting.

4B. District members seeking to become an officer of the District Council shall file a candidate declaration form with the appropriate County Committee two weeks prior to the election.

Section 5. Term of Office.

5A. Each officer shall take office immediately upon election and shall hold office from the time of election until a successor is duly elected, or until said officer moves out of the District,

5B. Vacancies in any officer position shall be filled as provided in the DPH Bylaws.

Section 6. Delegates and Alternates to the State Convention.

Each District shall elect delegates to the State Convention as contained in the official Call of the Party, subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i and the Democratic National Committee. Election of alternates should be subject to the composition requirements as provided for in the Bylaws of the Democratic Party of Hawai'i.

Section 7. Meetings of the District Council.

Regular meetings of the District Council shall be held at least three (3) times a year at such time and place as the Chairperson designates.

Section 8. Duties and Responsibilities of the District Council.

8A. The District Council shall consider challenges concerning delegates to the State Convention as provided for in the Bylaws of the Democratic Party of Hawai'i.

8B. It shall be the duty of the District Council to establish and maintain an active and effective Party organization within its district to inform Democrats within the District of Party policy and activities, and to ensure as large a vote as possible for Party candidates in the election.

8C. To effect these ends, the District Council may adopt District platforms, consistent with the Party Platform adopted by the State Convention, and take such steps as are necessary to encourage officials of the District elected or appointed in the name of the Party to observe the Platform and Principles of the Party.

8D. Also, to effect these ends, District Councils may organize areas within the District for the purposes of running effective campaigns for Party candidates.

Section 9. District Council Rules.

Each District Council may adopt rules for the proper conduct of its business not inconsistent or in conflict with the Constitution and Bylaws of the Democratic Party of Hawai'i or the Bylaws and Rules of the applicable County Committee.

Section 10. Use of the Name of the Democratic Party of Hawai‘i.

No District Council shall be permitted to use the name of the Democratic Party of Hawai‘i without first obtaining express and specific consent and authority of the appropriate County Committee or State Central Committee.

Rationale:

The current Article II must be repealed in order to be replaced by the new Article II. The entire new Article II is reproduced here for the convenience of Committee members and pursuant to Rule 7.3 of the Standing Rules of the 2022 Biennial Convention.

Impact on the Precinct Clubs and District Councils.