

# Rules and Procedures of the Green Party of California

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## **ARTICLE I. Presidential Primary Election Ballot**

### **1-1 Authority**

The authority to recommend names to the California Secretary of State for inclusion on the GPCA presidential primary election ballot shall rest with:

**1-1.1** The General Assembly, if it meets and decides between E-125 (Election day minus 125 days) and E-190 (Election day minus 190 days) preceding the Primary Election, or

**1-1.2** The GPCA Coordinating Committee by E-125 if no General Assembly as per 1-1.1 occurs in that period.

### **1-2 Eligibility**

To be considered eligible for recommendation under 1-1, an interested candidate must

**1-2.1(a)** Be a registered Green Party member in those states in which it is possible to register Green or otherwise be a member of the Green Party (or the state party affiliated with the GPUS as it may be otherwise named) in those states in which one cannot register Green; or

**1-2.1(b)** Be registered "independent" or "decline-to-state" or otherwise not be a member of a ballot qualified political party; and

**1-2.1(c)** Not be a registrant of any state or national level ballot qualified political party in the individual's primary state of residence except for a ballot qualified state party which has affiliated with GPUS, or a party forming for the intent of GPUS affiliation in a state where there is no GPUS affiliated state party.

**1-2.2** Make a request in writing to the GPCA as per 1-3.

### **1-3 Written Requests**

Written requests requesting placement upon the GPCA presidential primary ballot must:

**1-3.1** Be submitted to the GPCA [Liaison to the Secretary of State](#), which the Liaison to the Secretary of State shall forward to the co-coordinators of the GPUS Delegation and the Candidates Committee. Such requests can be initially made by email if the email contains an electronic copy of the candidate's signature that is personally confirmed by the candidate as his/her actual signature within ten days of transmittal of that email.

**1-3.2** Be submitted at least seven days before the General Assembly (or meeting of the Coordinating Committee), but preferably earlier, with the knowledge of the dates when the GPUS Delegation and/or the Candidates Committee will meet to make recommendations under 1-4.1. The dates of those meetings shall be made available to the co-chairs [GPUS Presidential Campaign Support Committee](#) for distribution to those who have contacted the GPUS to seek its presidential nomination.

**1-3.3** Include a statement that the candidate:

**1-3.3(a)** is seeking the [GPUS Presidential Nomination](#),

**1-3.3(b)** requests to be placed on the GPCA Presidential Primary Election Ballot,

**1-3.3(c)** is familiar with the platforms of the GPCA and GPUS and states where and why the candidate substantially disagrees with the GPCA or GPUS platform, if at all,

**1-3.3(d)** will make a good faith effort to campaign in the state during the primary election season,

**1-3.3(e)** if he/she receives the nomination at the GPUS Presidential Nominating Convention, that he/she would accept it and would appear on the GPCA general election ballot.

**1-3.4** Include the candidate's:

**1-3.4(a)** web site,

**1-3.4(b)** response to the GPUS presidential questionnaire, if any, and if the candidate is an officially recognized candidate for the Green Party nomination for President by the GPUS, and

**1-3.4(c)** Federal Elections Committee (FEC) committee name and number and a report of funds received and spent. If no FEC committee has been established, then the name of campaign

treasurer and financial institution where a campaign account has been established, and a statement of funds received and spent.

#### **1-4 Certification**

**1-4.1** It shall be the responsibility of the Liaison to the Secretary of State, in consultation with the co-coordinators of the GPUS Delegation and the Candidates Committee, to certify compliance with 1-3 and to report the results to the Coordinating Committee, the GPUS Delegation and the Candidates Committee, of those who did and did not comply and in the case of those who did not, why not.

**1-4.2** The Liaison to the Secretary of State shall inform the candidate of these results and in the case of those that did not comply, inform them of why not. Where a candidate has time to revise and resubmit their request in response, they may do so.

**1-4.3** The certification or not by the Liaison to the Secretary of State under 1-4.1 may be appealed to the General Assembly and overturned by a 2/3 vote. The process for such an appeal to be heard shall be that after the names of those recommended under 1-4.1 are presented to the General Assembly, the facilitator shall ask if there are delegates who wish to appeal any decision of the Liaison to the Secretary of State under 1-4.1. If at least one third of the number of delegates present cosponsors a proposal to appeal, the body shall decide upon that proposal.

#### **1-5 Decision-Making**

**1-5.1** All candidates from among those eligible under 1-2 that are recommended by either the GPUS Delegation or the Candidates Committee shall automatically be placed before the General Assembly (or the Coordinating Committee) for consideration. Recommendations by either committee must be made at least ten days prior to the meeting of General Assembly (or the Coordinating Committee), although where possible, at least three weeks is preferred so that recommendations may be circulated to county Green organizations as early as possible.

**1-5.2** The General Assembly may by a majority vote (or the Coordinating Committee by a 2/3 vote) add additional names of candidates for consideration who meet the criteria under 1-3, but who were not recommended by the GPUS Delegation or the Candidates Committee. The process for such a proposal to be heard by the General Assembly (or the Coordinating Committee) shall be that after the names of those recommended under 1-4.1 are presented, the facilitator shall call for any other recommendations from the floor. If at least one third of the number of delegates present cosponsors a proposal to recommend someone eligible under 1-3, the body shall decide upon that proposal.

**1-5.3** Once the list of recommended candidates is finalized, the General Assembly (or the Coordinating Committee) shall conduct its regular decision-making process, including hearing clarifying questions, concerns and affirmations. Then each candidate shall be voted upon individually by written ballot. Any candidate receiving at least a 2/3 vote of the General Assembly (or the Coordinating Committee) shall be reported to the California Secretary of State by the GPCA Liaison to the Secretary of State as being recommended by the GPCA. A copy of this recommendation shall be forwarded to the co-chairs of the GPUS Delegation, the Candidates Committee and the GPUS Presidential Campaign Support Committee.

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## **ARTICLE II. Policies and Procedures for Selection and Conduct of GPCA Delegates to the GPUS Presidential Nominating Convention**

### **Section 2-1 Delegate Selection Committee**

#### **2-1.1 Appointment of Delegate Selection Committee**

A special group called the Delegate Selection Committee shall be formed for the duration of each Presidential election cycle, not later than 180 days prior to the California Presidential primary election. It shall consist of eight members: two members appointed by the Policy and Platform Committee, two appointed by the California GPUS delegation, two appointed by the Candidates Committee, one appointed by the GPCA Bylaws and Rules Committee, and one appointed by the GPCA Coordinating Committee. No presidential or vice-presidential candidates or current campaign staff for these candidates are eligible to serve to the Delegate Selection Committee.

#### **2-1.2 Responsibilities of Delegate Selection Committee**

The Delegate Selection Committee shall be an ad hoc committee of the General Assembly empowered to select and credential the California delegation to the national Presidential nominating convention in accordance with the methods described in the following Sections.

### **Section 2-2 Delegate Allotments**

#### **2-2.1 GPCA Delegation**

The applicable Green Party of the United States (GPUS) rules and committee(s) shall determine the maximum number of delegates allotted to the GPCA for the national Presidential nominating convention. The maximum number of alternates shall be the same as the number of allotted delegates.

#### **2-2.2 Candidate Allotments**

The number of delegates allotted to each candidate shall be determined according to the percentage of votes each receives in the California Green Party Presidential primary election. Candidate slate delegates are only bound to vote for the candidate for the first round convention vote; candidates do not control or have any right to bind the delegates of their allotted votes after the first ballot. A candidate shall be entitled to at least one GPCA first round delegate vote only if the candidate receives a number of votes in the Primary Election at least equal to the number of total votes cast for President in the primary divided by the total number of GPCA delegates determined in Paragraph 2-2.1. Candidates who do not receive this minimum number of votes do not qualify for first round GPCA delegate votes at the national convention. The Delegate Selection Committee shall determine which candidates are entitled to at least one first-round vote, and then use the Method of Equal Proportions, referenced in the appendix to the GPCA Bylaws, to allocate the number of delegates to candidates.

#### **2-2.3 Write-In Candidates**

Except as otherwise provided, write-in votes, to the extent that write-in votes can be tabulated, shall be included in calculating the delegate allotment to candidates. As used in these rules, write-in votes include write-in votes both for candidates certified as write-in candidates pursuant to the Elections Code of the State of California and for candidates who receive

determinable votes even in the absence of such certification. The Delegate Selection Committee shall make every effort to collect available information on write-in votes prior to the delegate selection process.

#### **2-2.4 None of the Above**

Until “None of the Above” (NOTA) can be included as a voting alternative in the GPCA Presidential primary election, NOTA votes shall be calculated from those candidates (who have not sought the nomination in another political party in the current election cycle) who did not receive enough votes to qualify for at least one delegate as described in the preceding sections. If a candidate does not wish to be represented by a NOTA vote in the event of receiving insufficient votes to qualify for a first round delegate, the candidate may choose to have the number of his/her voters omitted from the calculation by notifying the Delegate Selection Committee prior to the Presidential primary. The Delegate Selection Committee shall total the votes for those candidates who did not qualify for at least one delegate, including ascertainable write-in votes for certified write-in candidates, and excluding those candidates who chose to be excluded and those who have sought the nomination of another political party in the current election cycle. If the cumulative total of votes for NOTA exceeds the qualifying threshold established in Section 2-2.2, then the number of delegates resulting from the calculation shall be pledged to vote NOTA in the first round of voting at the national nominating convention.

#### **2-2.5 Protecting party integrity**

Notwithstanding any other provision of these rules, unless the GPCA General Assembly approves an exception, any candidate who has sought the nomination for President or Vice President by another political party in the current election cycle shall not be entitled to receive any GPCA delegate votes, and write-in votes for such a candidate shall be disregarded in calculating first round ballot NOTA votes. “Seeking the nomination” of another political party is defined as announcing candidacy in that party, accepting delegates or votes in the national convention or nominating process of that party, or achieving the national nomination of that party. The delegation may decide, by consensus or 80% vote, to waive this restriction, with the exception that no votes may be cast for a candidate who has sought the nomination of the Democratic Party or the Republican Party in the current election cycle.

#### **2-2.6 County and Diversity Allotments**

Each active county and diversity caucus recognized as such by the GPCA shall be entitled to at least one delegate and one alternate on the delegation. The Delegate Selection Committee shall calculate the total number of delegates assigned to each active county, using the Method of Equal Proportions referenced in the appendix to the GPCA bylaws. Under-represented diversity groups are defined as racial or other diversity groups that are under-represented in the Green Party by a factor of two or more relative to their proportion of the California population (e.g., African American, Hispanic). The Delegate Selection Committee shall define these groups and their recommended allotments to the best of their ability, using estimates where exact figures are unavailable, for the sole purpose of delegate selection for the national convention of the current electoral cycle. The Delegate Selection Committee shall use its judgment to determine a recommended allotment that best compensates for under-representation of diversity groups without leaving seats on the delegation empty.

### **Section 2-3 Delegate Slates**

### **2-3.1 Delegate slate method**

As described in the following Paragraphs, delegate slates shall be submitted to the Delegate Selection Committee by ballot-qualified Presidential candidates and certified write-in Presidential candidates as well as by each recognized active GPCA county organization and recognized diversity caucuses, in accordance with the following criteria.

### **2-3.2 Membership requirement**

All potential delegates and alternates submitted on delegate slates must be members of the GPCA at the time the slate is submitted and must remain members of the GPCA through the time of the convention in order to ultimately serve on the delegation. Candidates, active counties and recognized diversity caucuses shall verify the valid GPCA membership of each person listed on their delegate slate prior to submission of the slate.

### **2-3.3 Candidate representation through elected slates**

Voters for each candidate will be represented by a delegate slate submitted by their candidate of choice. The Delegate Selection Committee shall appoint a GPCA member to recruit a delegate slate for those who voted for “None of the Above” (NOTA) and non-qualifying candidates. The person appointed to recruit the NOTA slate shall be a person considered by the Delegate Selection Committee to hold a similar political viewpoint to NOTA voters.

### **2-3.4 Diversity of candidate slates**

When drafting their slates of approved delegates, candidates must strive for racial diversity, gender balance and balanced geographical representation in addition to representation of their political views, to the extent possible for their slate size. Candidates are expected to make every effort to compensate for the under-representation of under-represented diversity groups with active recruitment of potential delegates for their slate from those constituencies.

### **2-3.5 County and recognized diversity caucus delegate slates**

Recognized active county organizations and any diversity caucus recognized as such by the GPCA shall provide a pool of potential delegates and alternates from which the Delegate Selection Committee shall fill those delegation seats not filled by candidate slates.

### **2-3.6 Diversity of county slates**

When drafting slates of approved delegates, county parties shall strive for racial diversity and gender balance to the extent possible for their slate size. County parties are expected to compensate for the under-representation of under-represented diversity groups with active recruitment of potential delegates for their slate from those constituencies.

### **2-3.7 Submission of delegate slates**

Candidates, active counties, and diversity caucuses shall submit their list of names of potential delegates and alternates, along with contact information for each person listed, to the Delegate Selection Committee no later than 60 days prior to the California Presidential primary election.

## **2-3.8 Publication of candidate delegate slates**

To provide transparency to voters, the Delegate Selection Committee shall publish all submitted candidate delegate slates at least six weeks prior to the Presidential primary election on the GPCA [cagreens.org](http://cagreens.org) Website. The Communications Committee shall provide a link to these slates from the GPCA home page, at least until the national nominating convention. The URLs of the candidate delegate slates shall be published in any issues of Green Focus that are published between Web-publication of the lists and the Presidential primary election.

## **Section 2-4 Delegate Selection**

### **2-4.1 Selecting delegates from slates**

The Delegate Selection Committee shall choose delegates to the national nominating convention from submitted slates according to the process detailed in the following Paragraphs.

### **2-4.2 Method of selection from delegate slates**

The Delegate Selection Committee shall select the first available delegate from each unrepresented allotment, in order of size of total allocation (determined by the Method of Equal Proportions). Delegates from candidate slates shall count toward the county allotments of their respective counties and toward diversity allotments of any diversity group to which they belong. Preference shall be given to candidate slates to fill county and diversity allotments until either the candidate allotments are filled or the candidate runs out of delegates to meet the county or diversity allotment. Diversity criteria described in Paragraph 2-4.4 may slightly alter the order of selection. This process shall be continued until each allotment either runs out of proposed delegates or is fully represented. After delegate selections are complete, alternate selections shall proceed in the same manner, with an alternate for a specific delegate being chosen from the same candidate, county or diversity allotment wherever possible, and in that order of precedence. Delegates and alternates who can not attend are replaced by those lower on the respective slate, in order. Since potential delegates may be listed on more than one candidate's, county's or caucus's slate, the Delegate Selection Committee must track when a delegate has been assigned to a candidate, and if so, to which candidate, to prevent a delegate from being assigned twice.

### **2-4.3 Unfilled delegate allotments**

If a candidate has not submitted a slate by the deadline or if a candidate's list runs out before their allotted delegation has been filled, the Delegate Selection Committee shall appoint the remaining number of delegates from county and diversity caucus slates without input from the candidate. If all delegate slates run out before all allotments are filled, the Delegate Selection Committee shall attempt to recruit GPCA members for the delegation, making every effort to fill the various allotments.

### **2-4.4 Diversity of selection**

Wherever possible, the Delegate Selection Committee shall adhere to the Method of Equal Proportions order for the rotation between slates and the order of delegates on the slates for the actual selection of delegates and alternates. The Delegate Selection Committee shall also endeavor to select a delegation that includes at least one delegate and one alternate from each recognized active county organization, includes at least 45% each of male and female delegates,

and meets the diversity allotments defined by the Delegate Selection Committee pursuant to 2-2.6 of these Procedures. The Delegate Selection Committee shall use its judgments to weigh the various criteria and determine if an alteration of the selection order is necessary to best meet the criteria. If such an alteration is deemed necessary, the Delegate Selection Committee may alter selection order within the following restrictions. If necessary to achieve a diversity allotment, the Delegate Selection Committee may choose the next person of an under-represented group, even if this person is not the very next person on the list. This must be the next person of the under-represented group on the slate. The Delegate Selection Committee must resume the order of the slate where it left off after this selection. The Delegate Selection Committee may also alter the order of rotation between slates when necessary to meet diversity allotments, and must resume the order of rotation between the slates after this selection.

#### **2-4.5 Delegate registration**

Once selected, each delegate and alternate shall promptly register with the Delegate Selection Committee as a delegate or alternate to the national nominating convention. The GPCA Liaison to the Secretary of State shall use the voter registration database to verify that each registered delegate is a member of the GPCA. Those delegates who are ineligible to vote but have been extended GPCA membership by their county parties must provide a letter of verification of membership from their county council with their registration. Delegates who fail to register by at least 45 days before the date of the national nominating convention may be replaced by the Delegate Selection Committee according to the criteria in the following Paragraph.

#### **2-4.6 Replacement of unregistered delegates**

The Delegate Selection Committee, is authorized to appoint GPCA members to replace those persons disqualified by their failure to timely confirm their registration. In the case of replacing a delegate from a candidate's allotted delegation, preference shall be given to any person remaining on the candidate slate or, if none remain, people who support that candidate. In the case of replacing a delegate filling a county or diversity caucus allotment, preference shall be given to the applicable county or caucus.

### **2-5 Delegation Voting Rules**

#### **2-5.1 Voter representation**

GPCA delegates and alternates to the national nominating convention are pledged to support the Presidential and Vice Presidential nominees selected by voters in the GPCA Presidential primary election.

#### **2-5.2 Collective voting**

The delegation shall cast its votes collectively, as a delegation. For the first round of voting, the delegation is bound to cast its votes proportionally to match the results of the California Presidential primary election according to the definitions in Paragraph 2-2.2 through 2-2.4. The delegation may not cast any votes for any candidate who has sought the nomination for President or Vice President by another political party in the current election cycle, except as described in Paragraph 2-2.5.

#### **2-5.3 Caucusing**



In the event a Green Party candidate for President or Vice President is not chosen during the first ballot at the national nominating convention, GPCA delegates shall caucus at the convention for each subsequent vote to arrive at their collective sense of the will of the GPCA primary voters in that situation. Until such time as ranked ballot voting results are used in GPCA primary elections, the delegation shall use the Presidential primary results, paired with available statewide ranked voting results (described in Section 2-6), as a guide to the preferences of GPCA primary voters. Based on these guides and existing formulas for the distribution of delegates, the delegation shall determine the distribution of GPCA delegate votes to best represent the will of the voters.

#### **2-5.4 Activation of alternates**

When a delegate is not present during convention proceedings, their designated alternate shall act in her or his place - except, in the event that alternate also is absent, then the GPCA delegates present may select an alternate to temporarily replace the missing delegate with a GPCA alternate who is present. Alternates are bound by the same instructions and rules for voting as apply to delegates. Activated alternates may participate fully in straw polls and internal votes of the delegation; inactive alternates may participate in discussion, but not in straw polls or votes.

#### **2-5.5 Decision-making process**

The delegation shall deliberate for a period to see if a consensus distribution of votes naturally emerges. If consensus is not achieved this way, the delegation shall take a straw poll of hands to see how much support there is for each proposed valid distribution of votes. A valid distribution of votes is defined as a proportional distribution of the votes, including all candidates who have not yet been eliminated and still have support on the delegation. The distribution of votes with the most support shall be taken through a short consensus process, with emphasis on negotiation between opposing viewpoints. If consensus is achieved, the delegation is bound to casting its votes according to the consensus distribution. If the delegation fails to achieve consensus, delegates are unbound and free to vote according to their conscience for that round, reporting their individual votes to be accurately relayed by the delegation spokesperson.

#### **2-5.7 Transparency of deliberations**

The delegation shall record the results of any internal votes in a final report to the GPCA to be published on the [cagreens.org](https://cagreens.org) Website for the duration of the Presidential election cycle. Any distribution arrived at by less than consensus must include the option of recording unresolved concerns or a minority report in the report to the GPCA.

#### **2-5.8 Casting collective votes**

Prior to commencement of the convention votes, the delegation shall elect a spokesperson. The spokesperson shall report the entire distribution of GPCA votes to the national convention after each delegation decision.

#### **2-5.9 Accountability of spokesperson**

If a GPCA delegation spokesperson reports a delegation decision inaccurately, any GPCA delegate may call a point of process and report the mistake or misrepresentation, requesting a recall of the vote while the delegation resumes its caucus. If a majority of the delegation agree

that the result was mis-reported, the delegation shall choose a new spokesperson to report the vote accurately.

## **Section 2-6 Ascertaining Ranked Preferences**

### **2-6.1 Ranked primary election data**

In the event ranked ballot voting becomes available for use in GPCA Primary Elections, ranked voting choices shall be tabulated to create a statewide ranking of candidate preferences (including NOTA).

### **2-6.2 Membership polling**

Until GPCA primary elections provide ranked voting data, one or more of the following polling methods (listed in order of priority for delegates' consideration) may be used to assist the GPCA delegates in making their collective decisions on second and additional ballots at the national nominating convention:

**2-6.2(a)** Prior to, and ending not later than the close of polls for the GPCA primary election, the GPCA may conduct a telephone poll of a randomly selected scientific sample of GPCA registered voters to obtain a survey of ranked preference results.

**2-6.2(b)** Prior to, and requiring return delivery not later than the day of the GPCA primary election, the GPCA may conduct a mailed poll of a randomly selected scientific sample of GPCA registered voters to obtain a survey of ranked preference results.

**2-6.2(c)** Prior to, and requiring return delivery not later than the day of the GPCA primary election, the GPCA may conduct a county poll, using the delegate apportionment for the General Assembly to obtain the ranked preferences of GPCA registered voters participating in that poll.

### **2-6.3 Using poll results**

The results of any of the above-described ranked ballot survey methods, separately or cumulatively, shall be considered advisory only and shall not be binding upon the GPCA delegates attending a national nominating convention. However, delegates are expected to honor the intent of this approved process unless contravening circumstances require other actions.