

# THE NORTH CAROLINA DEMOCRATIC PARTY

## DELEGATE SELECTION PLAN

FOR THE

2008  
DEMOCRATIC  
NATIONAL  
CONVENTION

AS APPROVED BY THE  
STATE EXECUTIVE COUNCIL ON  
APRIL 26, 2007

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## SUMMARY OF PLAN

### A. Selection of Delegates and Alternates

North Carolina uses a “Primary Proportional Representation” system of delegate selection. The “first determining step” of North Carolina’s delegate selection process will occur on May 6, 2008 with the Presidential Preference Primary.

Delegates and alternates will be selected as summarized on the following chart:

Type of Delegate	Number of Delegates Allocated	Delegate M/F Allocation	Number of Alternates Allocated	Alternate M/F Allocation	Date of Selection	Selecting Body and Filing Requirements
<b>Pledged</b>						
District-level	77	38/39	12	6/6	May 17, 2008	Congressional District Convention Presidential Preference Caucuses Notice of Candidacy due 4/25/2008
Party Leader/ Elected Official	12	6/6	N/A	N/A	June 21, 2008	State Convention Notice of Candidacy due 5/30/2008
At-large	26	11/15	7	3/4	June 21, 2008	State Convention Notice of Candidacy due 5/30/2008
<b>Unpledged</b>						
Add-ons	2	1/1	N/A	N/A	June 21, 2008	State Convention Letter of Interest to State Party Chair due 6/6/2008
DNC Members	9	3/6	N/A	N/A	N/A	Automatic
Democratic Governor	1	1/0	N/A	N/A	N/A	Automatic
Democratic Members of Congress	7	7/0	N/A	N/A	N/A	Automatic
<b>TOTALS</b>	<b>134</b>	<b>67/67</b>	<b>19</b>	<b>9/10</b>		

**B. Selection of Standing Committee Members (for the Credentials, Platform and Rules Committees).**

<b>Members Per Committee</b>	<b>Total Members</b>	<b>Selection Date</b>	<b>Selecting Body Filing Requirements</b>
4	12	June 21, 2008	N.C. National Convention Delegates No filing requirements

Nominees for membership on standing committees shall be submitted by presidential candidates or their authorized representatives by **June 13, 2008**. Members shall be proportionately allocated in accordance with the statewide vote received by each candidate in the Presidential Preference Primary (15% threshold requirement). Gender balance and affirmative action considerations will be observed in the selection of these members.

**C. Designation of Delegation Chair and Selection of Convention Pages**

The State Party Chair will be the Delegation Chair as of **June 21, 2008**.

The State Party Chair will select three (3) Convention Pages on **June 21, 2008** after consultation with the State's DNC members.

**D. Presidential Candidates Filing Procedure (2008)**

- February 12** Each presidential candidate must certify in writing to the State Party Chair the name and address of his/her authorized representative.
- February 19** Deadline for presidential primary candidates seeking nomination by petition to submit petition with minimum of 10,000 signatures to County Board(s) of Elections.
- February 29** Deadline for petitioners to file petition with the State Board of Elections.
- March 4** State Board of Elections meets to nominate presidential candidates for May 6 primary if they qualify to receive payments from the Presidential Primary Matching payment Account or if they have met all petition requirements of N.C. G. S. 163-213.5.

## **NORTH CAROLINA DELEGATE SELECTION TIMETABLE**

### **2007**

<b>February 20</b>	State Party Chair appoints Delegate Selection and Affirmative Action Committee
<b>March 21</b>	Proposed Delegate Selection and Affirmative Action Plan Reviewed/Approved by Delegate Selection and Affirmative Action Committee
<b>March 23 - April 23</b>	Public Comment Period
<b>April 23</b>	State Party Delegate Selection and Affirmative Action Committee reviews public comments and adopts final proposed Delegate Selection and Affirmative Action Plan for consideration by State Executive Committee
<b>April 26</b>	Delegate Selection and Affirmative Action Plan adopted by State Executive Council.
<b>On or before May 1</b>	Delegate Selection and Affirmative Action Plan Submitted to DNC Rules and Bylaws Committee
<b>On or before Sept. 16</b>	Implementation of Affirmative Action Plan. Press materials sent to media.
<b>November 1</b>	Presidential candidates submit written statement on how they will achieve full participation.
<b>December 3</b>	Notice of Candidacy forms available at State Party Headquarters, on the State Party Website, and from congressional district and county chairs, for individuals wishing to run as delegates

### **2008**

<b>January 11</b>	Deadline for applications for Temporary Standing Committees.
<b>January 26</b>	State Executive Committee Meeting convenes to elect temporary Standing Committee.
<b>February 12</b>	Presidential candidates notify State Party Chair of their authorized representatives
<b>February 19</b>	Deadline for presidential primary candidates seeking nomination by petition to submit petition with minimum of 10,000 signatures to County Board(s) of Elections
<b>February 28</b>	Deadline for petitioners to file petitions for Presidential Preference Primary candidates with State Board of Elections

<b>March 1</b>	DNC Secretary confirms to State Party Chair the following unpledged delegates from N.C.: 1) DNC Members, 2) the Democratic Governor and 3) Democratic Members of Congress
<b>March 4</b>	State Board of Elections meets to nominate presidential candidates qualifying for matching funds or who have met petition requirements to be placed on ballot for May 6 primary
<b>March 11</b>	Statewide precinct meetings
<b>April 19</b>	County conventions
<b>April 25</b>	Deadline for candidates for District-level delegate or alternate positions to file Notice of Candidacy and Pledge of Support with State Party Chair
<b>May 2</b>	State Party Chair will certify to each presidential candidate a list of candidates for District-level delegates or alternate positions
<b>May 6</b>	PRESIDENTIAL PRIMARY ELECTION
<b>May 9</b>	Presidential candidates will certify to State Party Chair approved list of candidates for District-level delegate or alternate positions
<b>May 14</b>	State Party will certify to the Rules and Bylaws Committee whether each Presidential candidate has used best efforts to submit a list of delegate candidates that meet the affirmative action considerations.
<b>May 17</b>	Congressional District Conventions Election of District-level delegates and alternates
<b>May 20</b>	State Party Chair will certify the election of District-level delegates and alternates to DNC Secretary
<b>May 30</b>	Deadline for candidates for Party Leader/Elected Official delegate and/or At-large delegate or alternate to file Notice of Candidacy with the State Party Chair
<b>June 6</b>	State Party Chair will certify to each presidential candidate a list of candidates for Party Leader/Elected Official delegate
<b>June 6</b>	Deadline for persons wishing to be considered for unpledged Add-on delegates to submit letter of interest to State Party Chair
<b>June 13</b>	Deadline for Presidential candidates to submit list of standing committee members
<b>June 13</b>	Presidential candidates will certify to State Party Chair approved list of candidates for Party Leader/Elected Official positions

- June 17** Delegate Selection and Affirmative Action Committee reviews Notice of Candidacy for At-large delegates and alternates and submits a list of approved At-large delegate and alternate candidates
- June 21** State Convention convenes at 1:00 p.m. to elect Unpledged Add-on delegates, Party Leader/Elected Official delegates, and At-Large delegates and alternates, in that order
- June 21** State Party Chair names Delegation Pages after consultation with State's DNC members
- June 21** North Carolina 2008 Democratic National Convention delegates meet to elect Standing Committee members and any other necessary business
- June 24** State Party Chair certifies to DNC Secretary North Carolina's delegates, alternates and Standing Committee members who were selected on June 21.

**NORTH CAROLINA DEMOCRATIC PARTY**  
**Proposed Delegate Selection Plan**  
**For the 2008 Democratic National Convention**

**2008 Democratic National Convention**

This Delegate Selection Plan specifies the procedures to be followed by the North Carolina Democratic Party in selecting the State’s delegates and alternates to the 2008 Democratic National Convention. It also outlines the Party’s affirmative action program, designed to encourage full participation by all Democrats in the process of delegate selection and presidential nomination. The delegate selection process is governed by 1) the *Charter and Bylaws* of the Democratic Party of the United States; 2) the *Delegate Selection Rules for the 2008 Democratic National Convention* as adopted by the Democratic National Committee (hereinafter the “**DNC**”) on August 19, 2006 (hereinafter referred to as “**Rules**”); 3) the *Call for the 2008 Democratic National Convention* (hereinafter referred to as “**Call**”); 4) the *Regulations of the Rules and Bylaws Committee for the 2008 Democratic National Convention* (hereinafter referred to as “**Regs**”); 5) the *Plan of Organization of the North Carolina Democratic Party* (hereinafter “**the Plan of Organization**”); 6) the applicable election laws of the State of North Carolina; and 7) this Delegate Selection Plan.

**I. STAGES OF DELEGATE SELECTION**

- A. North Carolina shall select 134 delegates and 15 alternates to the Democratic National Convention pursuant to the Call. These delegates and alternates shall be allocated as follows:

<u>Type</u>	<u>Delegates</u>	<u>Alternates</u>
District-level	77	12
At-large	26	7
Pledged Party Leaders and Elected Officials	12	0
Unpledged Add-ons	2	0
DNC Members	9	0
Democratic Governor	1	0
Democratic Members of Congress	7	0

- B. These delegates shall be selected after the State’s presidential primary on May 6, 2008 through a post-primary convention system. Their presidential preferences (except for unpledged delegates) shall fairly reflect the division of preferences (including uncommitted status) among those voting in the primary.
- C. North Carolina’s 77 delegates and 12 alternates to be elected at the Congressional District-level shall be allocated according to a formula giving equal weight to the votes for Democratic candidates in the most recent (2004) presidential and gubernatorial elections (the allocation calculations appear as Exhibit 1 to this Plan). The State’s total number of District-level delegates and alternates will be equally divided between men and women. Such gender balance shall also be maintained within each congressional district. These allocations are as follows:

District	Delegates			Alternates		
	Males	Females	Total	Males	Females	Total
First	3	3	6	1		1
Second	3	3	6		1	1
Third	2	2	4			0
Fourth	4	5	9	1		1
Fifth	3	2	5		1	1
Sixth	2	3	5	1		1
Seventh	3	3	6		1	1
Eighth	3	2	5		1	1
Ninth	3	3	6	1		1
Tenth	2	3	5	1		1
Eleventh	3	3	6		1	1
Twelfth	4	3	7		1	1
Thirteenth	3	4	7	1		1
<b>Totals</b>	<b>38</b>	<b>39</b>	<b>77</b>	<b>6</b>	<b>6</b>	<b>12</b>

## II. PRECINCT MEETINGS AND COUNTY CONVENTIONS

The purpose of precinct meetings is to elect delegates to the county conventions and to discuss other business related to the affairs of the precinct. The purpose of the county convention is to elect delegates to the congressional district and state conventions as well as to conduct other business related to the affairs of the county organizations.

- A. Statewide precinct meetings shall be held on Tuesday, **March 11, 2008**, at **7:30 p.m.**, at the polling place for that precinct or at another location approved in advance by the county chair with notice posted at the polling place. Every effort must be made to hold the precinct meeting at an accessible location. The make-up date, in the event of severely inclement weather or failure to assemble a quorum of five (5) will be at **10:00 a.m.** on **March 15, 2008**. Should a precinct fail to meet on the make-up date, the county executive committee has the authority to set a date for a new precinct meeting. This date shall be fully publicized and must occur two full weeks before the county convention.
- B. All registered Democrats in the precinct shall be eligible to attend and vote at the precinct meeting and shall be encouraged to do so through a program of publicity and outreach by both the county and State parties.
- C. No person may be a voting participant in more than one precinct meeting.
- D. No person may be a voting participant in a precinct meeting or in subsequent stages of the delegate selection process who has participated in the delegate selection or presidential nomination process of any other political parties during 2008.
- E. As provided in the Plan of Organization (Section 1.04), the first order of business at precinct meetings shall be the election of delegates to the county convention. Each precinct shall be

entitled to cast one vote at the county convention for every 100 Democratic votes, or major fraction thereof, cast by the precinct for Governor in the last (2004) gubernatorial election.

- F. County conventions shall be held on **April 19, 2008, with starting times between the hours of 10:00 a.m. and 2:00 p.m.** The county chair shall determine the starting time as provided above and the location – both of which shall be as fully publicized by the county chair as possible. The county conventions shall be composed of delegates elected at the annual precinct meetings in the county.
- G. As provided in the Plan of Organization (Section 5.01), the county convention shall elect, from among the Democrats of the county, delegates to the congressional district and state conventions. Each county (or portion thereof within a congressional district) shall be entitled to cast one vote at the congressional district and state conventions for every 300 Democratic votes, or major fraction thereof, cast by that county (or portion thereof within a congressional district) for Governor in the last (2004) gubernatorial election.
- H. Delegates to county conventions shall not be required to declare their presidential candidate (or uncommitted) preference, and the entire body of delegates shall vote for all delegates to the congressional district and state conventions; except that in counties which are divided among more than one congressional district, only those delegates residing in a particular congressional district shall vote for delegates to that respective congressional district's convention.

### III. PRESIDENTIAL PRIMARY.

- A. The North Carolina's presidential primary will be held on **May 6, 2008**, in accordance with the State's Presidential Preference Primary Act (G. S. 163.213.2).
- B. The primary ballot shall include, in addition to the names of candidates certified by the State Board of Elections, a category allowing the voter to register an "uncommitted" preference.
- C. As provided in State law (N.C.G.S. 163-59, 163-119 and 163-82.6), and in accordance with the Resolution of Participation of Unaffiliated Voters adopted by the North Carolina Democratic State Executive Committee on September 16, 1995, a citizen eighteen (18) years of age or older must be registered as a Democrat or as Unaffiliated at least 25 days before the primary in order to be eligible to vote in the State's Democratic Presidential Preference Primary.

These requirements notwithstanding, nothing in this plan shall permit any person other than a registered Democrat as herein defined to participate in or be selected as a delegate or alternate to any official Democratic Party meeting including precinct meetings, county conventions, congressional district conventions, the state convention, or the Democratic National Convention.

- D. Candidates may obtain a position on the ballot for the Presidential Preference Primary by securing nomination in one of the two (2) methods presented below:

(1) Nomination by State Board of Elections. The State Board of Elections shall convene in Raleigh on the first Tuesday in March (**March 4, 2008**) or on the date set by law preceding the Presidential Preference Primary election. At the meeting required by this section, the State Board of Elections shall nominate as presidential primary candidates all candidates affiliated with a

political party, recognized pursuant to the provisions of Article 9 of Chapter 163 of the General Statutes of NC, who have become eligible to receive payments from the Presidential Primary Matching Payment Account, as provided in section 9033 of the US Internal Revenue Code of 1954, as amended. Immediately upon completion of these requirements, the Board shall release to the news media all such nominees selected. Provided, however, nothing shall prohibit the partial selection of nominees prior to the meeting required by the section, if all provisions herein have been complied with. (N.C.G.S, 163-213.4)

(2) Nomination by Petition. North Carolina law (N.C.G.S. 163-213.5) provides that: “Any person seeking the endorsement by a national political party for the office of President of the United States, or any group organized in this State on behalf of, and with the consent of, such person, may file with the State Board of Elections petitions signed by 10,000 persons who, at the time they signed are registered and qualified voters in North Carolina and are affiliated, by such registration, with the same political party as the candidate for whom the petitions are filed. Such petitions shall be presented to the county board(s) of elections 10 days before the filing deadline (**February 19, 2008**) or on the date set by law and shall be certified promptly by the chairman of the board of elections of the county in which the signatures were obtained and shall be filed by the petitioners with the State Board of Elections no later than 5 p.m. on the date the State Board of Elections is required by law to meet (**March 4, 2008**) or on the date set by law.

“The petitions must state the name of the candidate for nomination, along with a letter of approval signed by such candidate. Said petitions must also state the name and address of the chairman of any such group organized to circulate petitions authorized under this section. The requirement for signers of such petitions shall be the same as now required under provision of N.C.G.S. 163-96 (b)(1) and (2). The requirement of the respective chairmen of county boards of elections shall be the same as now required under the provisions of N.C.G.S. 163-96 as they relate to the chairman of the county board of elections.”

“The State Board of Elections shall forthwith determine the sufficiency of petitions filed with it and shall immediately communicate its determination to the chairman of such group organized to circulate petitions. The form and style of petition shall be as prescribed by the State Board of Elections (1971, c.225; 1975, c.744; 2002-159, s. 55(e); 2003-278, s. 9(b); 2004-127 s. 6)”

- E. Notification to Candidates. North Carolina law (N.C.G.S. 163-213.6) provides that: “The State Board of Elections shall forthwith contact each person who has been nominated by the Board or by petition and notify him in writing that his name will be printed as a candidate of a specified political party on the North Carolina Presidential Preference Primary ballot. A candidate who participates in the North Carolina Presidential Preference Primary of a particular party shall have his name placed on the general election ballot only as a nominee of that political party. The board shall send a copy of the “Presidential Preference Primary Act” to each candidate with the notice specified above. (1971, c. 225; 1975, c. 744; 1987, c. 549, s.6.2)”
- F. North Carolina is participating in the state-run presidential preference primary that will utilize government-run voting systems and is in compliance with Rule 2.H. North Carolina law (N.C.G.S 163-165.7) already provides both optical scan and direct recording electronic systems with recognized security measures including a paper trail. Other security measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and

connections; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error.

#### IV. ALLOCATION OF DELEGATES AND ALTERNATES TO CANDIDATES

- A. District-level delegates and alternates shall be allocated in a fashion that fairly reflects the expressed presidential candidate (or uncommitted) preference of primary voters in each congressional district. In order to qualify for delegates, a candidate must obtain at least a 15% threshold.
- B. The allocation of pledged Party Leader/Elected Official and At-large delegates (see VIII) shall be in proportion to the percentage of the statewide primary votes won by that preference, except that preferences falling below a threshold of 15 percent shall not be awarded any delegates at this level. Individuals eligible to run as Party Leader/Elected Official delegates or alternates include: big city mayors, statewide elected officials, state legislative leaders, state legislators, and other state, county, and local elected officials and party leaders. Statewide elected officials shall be given equal consideration as big city mayors.
- C. If no presidential candidate (or uncommitted) preference reaches the 15 percent threshold, the threshold shall be the percentage of the vote received at each level of the delegate selection process by the front-runner minus 10 percent.
- D. Congressional district alternates shall be allocated to candidates by the same procedures used to allocate delegates.
- E. If a presidential candidate is no longer a candidate at the time of the selection of pledged Party Leader/Elected Official and At-large delegates, then any positions allocated to that candidate will be proportionately divided among the other preferences entitled to an allocation.
- F. If a given presidential preference is entitled to one or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one At-large alternate position (Rule 18B.)

#### V. DELEGATE FILING PROCEDURES

(Described by Chronological Order of Selection)

- A. Each presidential candidate must certify in writing to the State Party Chair the name and address of his/her authorized representative no later than **February 12, 2008**.
- B. Persons wishing to run for pledged District-level delegate or alternate positions must file a "Notice of Candidacy" with the State Party Chair received by 5:00 p.m. on **April 25, 2008**. Notice of Candidacy forms will be available at State Party Headquarters, on the State Party Website, and from congressional district and county chairs beginning **December 3, 2007**.
- C. Persons wishing to be considered for the two unpledged Add-on delegate positions are not required to file a Notice of Candidacy, but they shall not be rendered ineligible by having

previously filed such a Notice. While not required, it is suggested that persons who wish to be considered for these positions submit a letter of interest to the State Party Chair on or before **June 6, 2008**.

- D. Persons wishing to run for pledged Party Leader/Elected Official delegate positions must file with the State Party Chair a Notice of Candidacy received by 5:00 p.m. on **May 30, 2008**. Notice of Candidacy forms will be available at State Party Headquarters, on the State Party Website, and from congressional district and county chairs beginning **December 3, 2007**.
- E. Persons wishing to run for pledged At-large delegate or alternate positions must file a “Notice of Candidacy” with State Party Chair received by 5:00 p.m. on **May 30, 2008**. Notice of Candidacy forms will be available at State Party Headquarters, on the State Party Website, and from congressional district and county chairs beginning **December 3, 2007**.
- F. All Notice of Candidacy forms or letters of interest (for unpledged Add-on delegate positions) shall be directed to:
- Jerry Meek, Chair  
North Carolina Democratic Party  
Delegate Selection Process  
220 Hillsborough Street  
Raleigh, NC, 27603
- G. The Notice of Candidacy form shall contain the following:
- 1) A signed statement that the prospective delegate is a registered Democrat.
  - 2) Mailing address, telephone number, and demographic information as to gender, age, minority status and sexual orientation.
  - 3) A signed pledge of support for the presidential candidate favored (or an indication of “uncommitted” preference).
  - 4) An indication of the category or categories under which the prospective delegate wishes to be considered (District-level, Party Leader/Elected Official, At-large).
  - 5) An indication of Party or public office(s) currently held.
- H. As provided in Rule 12E(1), presidential candidates may not remove any candidate for district-level delegate or alternate from the list of bona fide supporters unless, at a minimum, three names remain for every male delegate, female delegate, male alternate and female alternate position to which a presidential candidate is entitled at that level.
- I. The State Party will notify prospective delegates or alternates of their approval or rejection by presidential candidates. Those disapproved shall then have the option of running for “uncommitted” delegate positions, if such are available.
- J. On Friday, **May 2, 2008**, the State Party Chair will certify to each presidential candidate or their authorized representative a list of pledged candidates for delegate or alternate positions at the District-level.
- K. By Friday, **May 9, 2008**, the presidential candidates or their authorized representatives must certify to the State Party Chair a list of approved and disapproved delegate candidates, in compliance with part V-H. The certification should be directed to the attention of:

Jerry Meek, Chair  
North Carolina Democratic Party  
Delegate Selection Process  
220 Hillsborough Street  
Raleigh, NC, 27603

Candidates removed from the list of bona fide supporters by a Presidential candidate may not be elected as a delegate or alternate at that level pledged to that Presidential candidate.

- L. By Wednesday, **May 14, 2008**, the State Party will certify to the Rules and Bylaws Committee whether each Presidential candidate (including uncommitted status) has used best efforts to submit a list of delegate candidates that meet the affirmative action considerations.
- M. No delegate or alternate shall be required by law or party rule to cast a vote contrary to that person's presidential candidate preference as expressed at the time of his/her selection.
- N. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.

## **VI. SELECTION OF DISTRICT-LEVEL DELEGATES AND ALTERNATES**

- A. The congressional district conventions shall be held on **May 17, 2008, with starting times between the hours of 10:00 a.m. and 2:00 p.m.** The congressional district chair shall determine the starting time as provided above and the location – both of which shall be as fully publicized by the congressional district chair as possible. The congressional district conventions shall be composed of delegates elected by the county conventions in the congressional district.
- B. In order to comply with Rules 6C(1) and 12G, congressional district conventions shall elect national convention delegates in this fashion:

As the delegates enter the congressional district convention, they shall register their presence, declare their presidential candidate (or uncommitted) preference, sign a statement of support for that preference and receive a color-coded ballot (one containing the names of male delegate candidates and one containing the names of female delegate candidates which have been approved as delegate candidates by the presidential candidates or their authorized representatives). Only delegates declaring a given presidential candidate (or uncommitted) preference shall be given a ballot and may be permitted to vote at this stage for national convention delegates pledged to that preference.

- C. The congressional district convention shall divide into caucuses by presidential candidate (or uncommitted) preference to elect its national convention delegates.

Each presidential preference caucus will be required to elect the numbers of male and female delegates and alternates to which they are entitled. In accordance with Rule 12H, a candidate for District-level delegate or alternate may run for election only in the congressional district in which he/she is registered to vote.

- D. Voting for District-level delegates and alternates shall be conducted separately for male and female positions. Candidates for delegate or alternate must receive a majority of those votes cast in order to be elected. The State Party will designate uniform procedures (See Below) whereby the field of candidates may be narrowed and runoff votes taken in the event enough candidates do not receive a majority of the first ballot.

The First Ballot: Any male or female candidate for delegate or alternate who receives more than 50% of the vote from the congressional district presidential caucus shall be declared elected as a national convention delegate or alternate, provided that the number of candidates receiving a majority vote does not exceed the number of delegates and/or alternates of that gender allocated to the congressional district as reflected in the allocation chart in Section I of this Delegate Selection Plan. If the number of candidates who receive 50% or more of the votes is greater than the number of delegates and/or alternates allocated for their gender, the candidates receiving the highest number of votes and those receiving the next highest totals (in descending order) shall be elected until all allocated positions of that gender have been filled.

The Run-off Procedure: If a sufficient number do not receive a majority on the first ballot, a second vote will be taken, dropping the winner(s) and those receiving less than 20% off the list. On this and subsequent ballots, convention delegates shall have only as many votes as the number of delegate positions of the appropriate gender left to be filled. This procedure shall be repeated until a sufficient number of candidates of the appropriate gender have been elected by a majority vote to fill the allocated positions for that gender.

- E. Alternates shall be elected through the same procedures as delegates after all delegates have been chosen. Alternates must meet the same requirements as candidates for delegates.
- F. Delegates to the congressional district convention shall also select, from among the active Democrats of the congressional district, one nominee for presidential elector as required by N.C.G.S. 163-1(c), 163-210, and Section 6.02 of the Plan of Organization.
- G. The State Party shall be responsible for preparing ballots for the election of national convention delegates. The congressional district chair shall be responsible for (1) preparing blank ballots for the election of District-level alternate delegates and such other votes as the convention determines to take by written ballot, and (2) reporting in writing to the State Party Chair within two days of the congressional district convention the list of national convention delegates and alternates chosen and the selections made under provision (F.) above.
- H. The State Party Chair will certify in writing to the DNC Secretary the election of District-level delegates and alternates within three (3) days of their election.
- I. There will be no secret ballots cast at any stage of the delegate selection process.

## **VII. SELECTION OF UNPLEDGED DELEGATES**

- A. The following individuals shall constitute the unpledged delegate positions:
1. DNC Members that legally reside in the North Carolina;
  2. The Democratic Governor (if applicable);

3. All former Democratic Presidents, Vice Presidents, Democratic Majority Leaders of the US Senate, and Democratic Speakers of the U. S. House of Representatives and all former chairs of the Democratic National Committee that legally reside in the North Carolina;
  4. All Democratic Members of the US House of Representatives and the US Senate
  5. All former Democratic leaders of the U.S. Senate and all former Democratic Minority Leaders of the U.S. House of Representatives.
  6. Two (2) Add-on delegates.
- B. The procedures to be used in selecting the two (2) unpledged Add-on delegates described in VII(6) above will be as follows:
1. These delegates will be selected by the same selecting body used to select the pledged Party Leaders and Elected Officials.
  2. These delegates will be elected by the delegates to the state convention from a list of nominees submitted by the State Party Chair. Candidates for unpledged Add-on delegates shall not be required to have submitted a Notice of Candidacy Form or pledge of support, but shall not be rendered ineligible by having done so.
  3. The equal division and affirmative action provisions of Rule 6A apply to the selection of these unpledged Add-on delegates.
  4. The list from which the selecting body chooses the unpledged Add-on delegates shall, at a minimum, contain two (2) names for every unpledged Add-on position to be filled. In addition, the State Party Chair must assign candidates to a particular Delegate slot to be filled in order to promote the Affirmative Action goals of this Plan.
- C. Selection of the unpledged Add-on delegates will occur at the state convention, which will begin at **1:00 p.m. on June 21, 2008** at a location to be determined. Selection of unpledged Add-on delegates will occur prior to the selection of the Pledged Party Leader/Elected Official delegates.
- D. The process for certification of the unpledged delegates described in VII-A(1-5) will be as follows:
1. Not later than **March 1, 2008**, the DNC Secretary shall officially confirm to the State Party Chair those persons defined in VII-A(1-5) who legally reside in North Carolina. This official confirmation by the DNC Secretary shall constitute verification of the unpledged delegates from the categories indicated above. In cases where North Carolina's DNC membership changes following the Secretary's official confirmation, but prior to the commencement of the 2008 Democratic National Convention, acknowledgment by the DNC Secretary of member certification shall constitute verification of the corresponding change of unpledged delegates.
  2. Unpledged Add-on Delegates, described in VII-A(6), selected pursuant to the Call, Article I H, shall be certified by the State Party Chair in writing to the DNC Secretary within three (3) days after their selection.

## VIII. SELECTION OF:

- 1) PARTY LEADER AND ELECTED OFFICIAL DELEGATES AND
- 2) AT-LARGE DELEGATES AND ALTERNATES

- A. The State's twelve (12) pledged Party Leader/Elected Official delegates, its twenty-six (26) At-large delegates and its seven (7) At-large alternates shall be selected by the state convention. The state convention will begin at **1:00 p.m. on June 21, 2008** at a location to be determined. The state convention shall be composed of delegates elected by the county conventions (Section 6.02 Plan of Organization).
- B. The candidates for these delegate and alternate positions shall be (a) those persons who filed a Notice of Candidacy for such positions on or before **April 25, 2008** but who were not elected as a delegate or alternate at a congressional district convention, AND (b) all other individuals who filed a Notice of Candidacy for such positions by **May 30, 2008** and (in either (a) or (b)) were approved by the Affirmative Action and Delegate Selection Committee. Candidates for pledged Party Leader/Elected Official delegate and At-large delegate who are not elected as delegates shall be eligible for election as an At-large alternate.
- C. On Friday, **June 6, 2008**, the State Party Chair will certify to each presidential candidate or their authorized representative a list of pledged candidates for delegate or alternate positions at the Party Leader/Elected Official level.
- D. By Friday, **June 13 2008**, the presidential candidates or their authorized representatives must certify to the State Party Chair a minimum of two (2) candidates for each male and female position allocated to their preference for pledged Party Leader/Elected Official delegate, provided that a sufficient number have filed a Notice of Candidacy form to allow for a minimum of two (2) candidates for each male and female position allocated to their preference. In addition, the presidential candidates or their authorized representative must assign candidates to a particular Delegate slot to be filled in order to promote the Affirmative Action goals of this Plan. The certifications should be directed to the attention of:

Jerry Meek, Chair  
North Carolina Democratic Party  
Delegate Selection Process  
220 Hillsborough Street  
Raleigh, NC, 27603

Candidates removed from the list of bona fide supporters by a Presidential candidate may not be elected as a delegate or alternate at that level pledged to that Presidential candidate (including uncommitted status).

- E. Persons shall be considered for Party Leader/Elected Official delegate positions in the following priority order: Big city mayors and statewide elected officials (to be given equal consideration), state legislative leaders, state legislators and other state and county local and elected officials, and Party leaders.
- F. In electing pledged Party Leader/Elected Official delegates and pledged At-large delegates and alternates, the state convention shall elect an equal number of males and females in each of these

three (3) categories. In the case where the number to be elected in any category is odd, the difference between elected males and elected females cannot exceed one (1).

- G. On Thursday, **June 5, 2008**, the Affirmative and Delegate Selection Committee meets to review Notice of Candidacy for At-large delegates and alternates and certify to the State Party Chair a minimum of (2) candidates for each male and female position allocated for each At-large delegate, provided that a sufficient number have filed a Notice of Candidacy form to allow for a minimum of two (2) candidates for each male and female position allocated to their preference. In addition, the Affirmative Action and Delegate Selection Committee must assign candidates to a particular Delegate slot to be filled in order to promote the Affirmative Action goals of this Plan.
- H. The selection of At-large delegates will follow the selection of District-level and Party Leader/Elected Official delegates and shall be used, if necessary, to obtain an equal division of positions between men and women in the State's delegation and priority of consideration will be given to other groups by virtue of race/ethnicity, age, sexual orientation, or disability. (See XI-C).
- I. Delegates to the state convention shall not be required to declare their presidential candidate (or uncommitted) preference, and the entire body of delegates shall vote for all national convention delegates and alternates being selected.
- J. Voting for delegates and/or alternates in each of these three (3) categories shall be conducted separately for each male and female slot. Candidates for delegate or alternate must receive a majority of those votes cast in order to be elected. The State Party will designate procedures (See Below) whereby the field of candidates may be narrowed and runoff votes taken in the event enough candidates do not receive a majority on the first ballot.  
  
The First Ballot: Any male or female candidate for delegate or alternate in these categories who receives more than 50% of the vote shall be declared elected as a national convention delegate or alternate.  
  
The Run-off Procedure: If a sufficient number do not receive a majority on the first ballot, a second vote will be taken between the top two vote-getters for that slot on the First Ballot. The candidate for delegate or alternate who receives more than 50% of the vote shall be declared elected as a national convention delegate or alternate.
- K. As provided for in the Plan of Organization (Section 6.02), the state convention shall confirm the nominees for presidential elector chosen by the congressional district conventions and shall, in addition, nominate two presidential electors-At-large and alternate electors.
- L. The State Party Chair shall certify the unpledged Add-on delegates, Party Official/Elected Official delegates and At-large delegates and alternates selected at the state convention in writing to the Secretary of the DNC within three (3) days of their selection.
- M. There will be no secret ballots cast at any stage of the delegate selection process.

## IX. SELECTION OF STANDING COMMITTEE MEMBERS

### A. Introduction

1. North Carolina has been allocated four (4) members on each of the three standing committees for the 2008 Democratic National Convention (Credentials, Platform and Rules), for a total of 12 members.
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2008 Democratic National Convention.
3. They shall be proportionately allocated to presidential candidates (including uncommitted status) based on the statewide presidential primary popular vote as used for calculating the At-large apportionments.
4. These members will be selected in accordance with the procedures indicated below.

### B. Temporary Standing Committee Members

1. Temporary members for the Convention Standing Committees will be selected by the State Executive Committee at a meeting at 12 noon on **January 26, 2008**. The meeting shall be open to the public and well publicized in accordance with the Affirmative Action program in this Plan. Members of State Executive Committee shall receive timely notice of the meeting, in accordance with State Party rules.
2. Any Democrat may apply for a position as a temporary member of the standing committees. Persons wishing to be considered must submit an application by **January 11, 2008** to:

Jerry Meek, Chair  
North Carolina Democratic Party  
Temporary Standing Committees  
220 Hillsborough Street  
Raleigh, NC, 27603

The application should include (a) A signed statement that the prospective delegate is a registered Democrat. (b) Mailing address, telephone number, and demographic information as to gender, age, and minority status. (c) the committee or committees for which they wish to be considered.

3. A separate election shall be conducted for membership on each of the standing committees. The membership of the standing committees shall be as equally divided as possible under the state allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and women may not exceed one (1), and the advantaged gender must not remain constant for the three standing committees
4. Temporary members serve only in the event that the respective standing committee is called to meet prior to completion of the state's delegate selection process (and subsequent selection of permanent standing committee members), and no temporary member may continue to serve after

the selection of the permanent standing committee members unless he or she is elected as a permanent member.

5. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their election. Substitutions in a state's list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets. Substitute temporary standing committee members will be selected at a meeting of the State Executive Committee in accordance with the provisions outlined above.

### **C. Permanent Standing Committee Members**

#### **1. Selection Meeting**

- a. The permanent members of the standing committees shall be elected by all of North Carolina's National Convention delegates, at a meeting to be held on **June 21, 2008**.
- b. A quorum shall consist of a majority of the State's delegates to the national convention.
- c. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the permanent standing committee members.

#### **2. Allocation**

- a. The members of the standing committees allocated to North Carolina shall proportionately represent the presidential preference of all candidates receiving the threshold percentage used in the State's delegation to calculate the At-large apportionment.
- b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to North Carolina. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc.
- c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position.

d. Standing committee positions allocated to a presidential candidate shall be proportionately divided, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions.

3. Presidential Candidate Right of Approval

a. Each presidential candidate shall be given adequate notice of the date, time and location of the meeting of the State's delegation authorized to elect standing committee members.

b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Party Chair by **June 13, 2008** the name of at least one (1) person for each position awarded to that candidate for permanent members of each committee. The delegation shall select the standing committee members submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one person for each position awarded to such candidate for permanent members of standing committees.

4. Selection Procedure to Achieve Equal Division

a. A separate election shall be conducted for membership on each of the standing committees. The membership of the standing committees shall be as equally divided as possible under the State allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and women may not exceed one (1) and the advantaged gender must not remain constant for three standing committees.

b. Presidential candidates (including uncommitted status) shall use their best efforts to ensure their respective delegation of permanent standing committee members shall achieve North Carolina's affirmative action goals and that their respective members are equally divided between men and women.

c. Each position on the standing committees shall be assigned by gender. For example, the first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated in like fashion, alternating between male and female. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by gender, the designation shall continue with the Platform Committee, then the Rules Committee.

d. The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate gender.

5. Certification and Substitution

a. The State Party Chair shall certify the permanent standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection.

b. No substitutions will be permitted in the case of permanent members, except in the case of resignation or death. Substitutions must be made in accordance with the election procedures specified in Article VII (B-E) of the Call and must be certified in writing to the Secretary of the Democratic National Committee.

## **X. GENERAL PROVISIONS AND PROCEDURAL GUARANTEES**

- A. At no stage of the delegate selection process shall any person be required to pay a cost or fee as a condition of participation. Voluntary contributions to the Party may be made but under no circumstances shall a contribution be mandatory for participation.
- B. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of that unit, shall not be used at any stage of the delegate selection process.
- C. The quorum for Party meetings beyond the first stage of the delegate selection process for any business pertaining to the selection of national convention delegates or alternates shall be as prescribed by the Plan of Organization.
- D. (1) Only certified delegates, or such of them as shall attend a congressional district convention, shall be seated and entitled to vote for national convention delegates in the manner prescribe herein.  
(2) Only certified delegates, or such of them as shall attend the state convention, shall be seated and entitled to vote the full strength of their county for national convention delegates in the manner prescribed herein.  
(3) There will be no proxy voting allowed at either the congressional district or state convention level.
- E. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegate. But no slate may, by virtue of such endorsement, receive preferential treatment or a preferential place on a delegate selection ballot or be publicly identified on the ballot as the “official” slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.
- F. No person shall vote in more than one meeting which is the first meeting in the delegate selection process.
- G. North Carolina’s delegation shall be equally divided between delegate men and women, and alternate men and women. Such goal applies to the entire delegation, which includes all pledged delegates and alternates and all unpledged delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division.
- H. All delegates, alternates and standing committee members must be bona fide Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, who

subscribe to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.

- I. The North Carolina Democratic Party reaffirms its commitment to an open party by incorporating the “six basic elements” as listed below. The provisions demonstrate the intention of the Democratic Party to ensure full opportunity for all minority group members to participate in the in the delegate selection process and in all party affairs:
  1. All public meetings at all levels of the Democratic Party should be open to all members of the Democratic Party regardless of race, gender, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status, or physical disability (hereinafter collectively referred to as “status”).
  2. No test for membership in, nor any oath of loyalty to, the Democratic Party should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone, or support discrimination based on “status.”
  3. The time and place for all public meetings of the Democratic Party on all levels shall be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all party members and large enough to accommodate all interested persons.
  4. The Democratic Party should on all levels, support the broadest possible registration without discrimination based on “status.”
  5. The Democratic Party shall publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such a fashion that all prospective and current members of the Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.
  6. The Democratic Party shall publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all positions as officers and representatives of the Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within the Democratic Party will have full and adequate opportunity to compete for office.
- J. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited.
- K. At no stages of this delegate selection process shall any vote be taken by secret ballot (Article Nine, Section 12 of the Charter of the Democratic Party of the United States). This provision does not apply to registered Democrats voting in the presidential preference primary.
- L. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.

- M. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time that delegate is elected.
- N. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action Plan. (Rules 1.F. & 11.B.)
- O. In electing and certifying delegates and alternates to the 2008 Democratic National Convention, the North Carolina Democratic Party thereby undertakes to assure all Democratic voters in the state full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action programs toward that end, and that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2008 Democratic National Convention, and that the voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention, and for electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States, and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees for the Democratic National Convention. (Call, II.B.)
- P. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference. (Rule 12.A.)

## **XI. AFFIRMATIVE ACTION PLAN**

- A. The North Carolina Democratic Party has adopted the following plan for encouraging full participation and representation in the delegate selection process. All meetings will be open to members of the Democratic Party and discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited. Adequate notice shall be given concerning all meetings, processes, and requirements attendant to this delegate selection process as may be necessary to ensure full and equal participation by all North Carolina registered Democrats. The State Party Chair appointed a Delegate Selection and Affirmative Action Committee responsible for the implementation of the plan on **February 20, 2007**. This committee is broadly representative, including members of the several groups targeted for affirmative action and outreach. Staff support will be provided for the work of this committee to the greatest extent feasible. (A roster of the membership of the Affirmative Action Committee appears as Exhibit 2 to this Plan).

Congressional districts as referenced in this Delegate Selection Plan are those established by the General Assembly of North Carolina and approved by the U. S. Department of Justice. These districts have been determined to comply with the requirements of the Voting Rights Act of 1965, and they do not discriminate against women or minorities.

- B. The Affirmative Action Committee shall implement its plan no later than **September 16, 2007**.
- C. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, by virtue of race/ethnicity, age, sexual orientation, or disability, North Carolina has developed Party outreach programs. Such programs include

recruitment, education and training, in order to achieve full participation by such groups and diversity in the delegate selection process and at all levels of Party affairs for 2008.

D. The State Party shall implement an affirmative action program for African Americans, Native Americans, Hispanics, Asian/Pacific Americans, women, members of the LGBT community, and people with disabilities, and which, in addition to the outreach activities specified above, will set specific goals for the representation of these groups, in proportion to their presence in the Democratic electorate (based on the most recently available statewide voter registration statistics).

1. The State Party's representation goals for these affirmative action target groups, based on party registration figures, are: Women, 50+%; African Americans, 38%; Native Americans, 1% and Hispanics less than 1%. Using these data, the numeric representation goals for the State's 2008 Democratic National Convention delegation are: Women, 67; African-Americans, 51; Native Americans, 2; Hispanic Americans, 2; Asian Americans, 1; members of the GLBT community, 8; Young Democrats (age 18-35), 1; Senior Democrats (age 65+), 1.

2. Mandatory quotas shall not be utilized at any level of the delegate selection process.

3. The State's overall delegation shall consist of equal numbers of men and women delegates and of men and women alternates. This provision shall not be considered a violation of XI-D-1 above.

4. As provided in VIII-G, the At-large portion of the delegation will be used, if necessary, to meet the State's equal division and affirmative action goals. Procedures for balloting for District-level delegates (See VI) are designed to minimize the need for such adjustments at the At-large level.

5. The State Party shall seek the active cooperation of presidential candidates and their organizations in implementing the Party's affirmative action plan. Presidential candidates shall use their best efforts to ensure their respective delegates, alternates and standing committee members are equally divided and reflect the State's affirmative action goals; and, to approve delegate and alternate candidates at the District-level who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division of their respective delegation. All presidential candidates seeking delegates shall submit statements by **November 1, 2007**, specifying what steps they have taken and will take to encourage full participation in the delegate selection process. They shall also submit demographic information on all candidates for delegate who are pledged to them.

E. Publicity and recruitment efforts shall include:

1. The circulation of news releases and of public service announcements to inform the public of how, when and where to participate in the delegate selection process and how to register and vote as a Democrat. Special attention will be paid to media serving the minority community (including minority communities for which no representation goals have been set).

2. Requests for discussion of the delegate selection process and of Democratic Party affairs on radio and television public affairs programs.

3. Calling press conferences, when feasible, to inform reporters and the public of the delegate selection process and other affairs of the Democratic Party.
4. The appointment by each Democratic county executive committee and congressional district executive committee chair of a publicity chair, whose responsibility it shall be to disseminate information to all registered Democrats on the timetable and procedures for selecting delegates and conducting other party business. Where appropriate, such procedures shall be made available bilingually to encourage minority participation.
5. Furnishing suggested copy and other materials for newspaper, radio, and television notices and announcements to each county chair.
6. Publishing and distributing, no later than **December 3, 2007**, an easily understood pamphlet, "How to Become a Delegate to the 2008 Democratic National Convention," with a Notice of Candidacy form attached.
7. Sending this material and otherwise communicating directly with minority, women's, and other community organizations within and outside of the Party structure and with other Democratic-affiliated constituency groups.

F. Education and training efforts shall include:

1. Scheduling of presentations on the delegate selection process at meetings at precinct meetings, county and congressional district executive committee meetings and other relevant constituency and community meetings as soon as this plan is submitted and granted final approval by the DNC.
2. Suggesting to minority, women's, and other community organizations within and outside of the Party structure and with other Democratic-affiliated constituency groups that presentations on the delegate selection process be scheduled before the date of the 2008 precinct meetings and offering assistance in organizing such presentations.
3. Organizing a Speakers' Bureau to include party officers and staff and members of the Delegate Selection and Affirmative Action Committee, who will be available for presentations to party and other groups.
4. Publishing, posting on the Party's Website, and otherwise disseminating widely the educational pamphlet, "How to Become a Delegate," as described above. This pamphlet and other pertinent materials, such as the *Plan of Organization* and the full text of the Rules, shall be made available at no cost to those who request them.

G. The State Party Chair shall appoint a three member Financial Assistance Committee. The mandated purpose of this committee is to provide guidelines on specific ways the State Party can help to defray the expenses of those delegates and alternates who otherwise would be unable to participate in the national convention. Information on how to obtain these guidelines and how to request assistance will be included in the Party's educational materials and presentations. This Committee will receive requests for assistance from national convention delegates and alternates and will assist them in locating sources of support.

- H. Utilization of the At-large delegation to meet affirmative action goals does not obviate the need for or execution of the above stated outreach activities.

## **XII. THE STATE DELEGATION**

- A. The State Party Chair will certify the election of delegates and alternates to the Secretary of the 2008 Democratic National Committee within three (3) days of the selection of each category of delegates and alternates.
- B. The delegates and alternates to the national convention shall convene on **June 21, 2008** immediately after the state convention at the call of the State Party Chair. This meeting shall be open and sufficiently publicized to ensure ample opportunity for all interested Democrats to attend.
- C. On **June 21, 2008**, the State Party Chair will become the Delegation chair, and, after consultation with the State's members of the DNC, shall name the three (3) Convention Pages. Pages shall be as evenly divided between men and women as possible under the state allocation and shall reflect as much as possible the Affirmative Actions guidelines in the Affirmative Action Plan. The State Party Chair will certify to the DNC Secretary in writing, the Delegation and Convention Pages within three (3) days of their selection.
- D. Replacement of Delegates and Alternates
  - 1. A pledged delegate or alternate may be replaced according to the following guidelines:
    - a. Permanent Replacement of a Delegate:
      - (1) A permanent replacement occurs when a delegate resigns or dies prior to and during the national convention and the alternate replaces the delegate for the remainder of the national convention.
      - (2) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Party Chair.
      - (3) An alternate permanently replacing a delegate shall be of the same presidential candidate (or uncommitted) preference and gender of the delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the State as the delegate; except in the case where the presidential candidate has only one alternate, in which case, that alternate shall become the certified delegate.
    - b. Temporary Replacement of a Delegate:
      - (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
      - (2) Any alternate who temporarily replaces a delegate must be of the same presidential candidate (or uncommitted) preference as the delegate he/she

replaces, and to the extent possible shall be of the same gender and from the same political subdivision within the State as the delegate.

2. The following system will be used to select permanent and temporary replacements of delegates: The delegate chooses the alternate. In the event the delegate is unable to choose the alternate, the alternate will be chosen by the delegation.

3. Certification of Replacements

a. Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the DNC within three (3) days after the replacement is selected.

b. Certification of permanent replacements will be accepted by the Secretary up to 48 hours before the first official session of the Convention is scheduled to convene.

c. In the case where a pledged delegate is permanently replaced after 48 hours before the time the first session is scheduled to convene or is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet.

4. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential candidate (or uncommitted) preference, of the same gender and, to the extent possible, from the same political subdivision as the alternate being replaced.

If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite gender, thereby causing the delegation to be no longer equally divided, the delegation shall not be considered in violation of Rule 6C. In such a case, notwithstanding Rule 17D(2), the State Party shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite gender, in order to return the delegation to equal division of men and women.

5. Unpledged delegates shall not be entitled to a replacement, nor shall the State be entitled to a replacement, except under the following conditions:

a. Members of Congress and Democratic Governors shall not be entitled to name a replacement. In the event of changes or vacancies in the North Carolina Congressional Delegation, following the official confirmation and prior to the commencement of the national convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U. S. House of Representatives or the Democratic Conference of the U. S. Senate. In the event of a change or vacancy in the State's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association.

b. Members of the DNC and unpledged Add-on delegates shall not be entitled to a replacement, nor shall the State be entitled to a replacement, except in the case of death of such delegates. In the case where the State's DNC membership changes following the

DNC Secretary's official confirmation, but prior to the commencement of the 2008 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of unpledged delegates.

c. Distinguished Party Leader delegates allocated to the State pursuant to Rule 8A(5) shall not be entitled to name a replacement, nor shall the State be entitled to name a replacement.

d. In no case, may an alternate cast a vote for an unpledged delegate.

E. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the affirmative action plan.

F. In electing and certifying delegates to the 2008 Democratic National Convention, North Carolina thereby undertakes to assure all Democratic voters in the State full, timely, and equal opportunity to participate in the delegate selection process and in all party affairs and to implement affirmative action plans toward that end, and that the delegates and alternates to the convention shall be selected in accordance with the Rules, and that the voters in the State will have the opportunity to cast their election ballots for the presidential and vice presidential nominees selected by the Democratic National Convention, and for electors pledged formally and in good conscience to the election of these presidential and vice presidential nominees under the label and designation of the Democratic Party of the United States and that the delegates certified will not publicly support or campaign for any candidate for president or vice president other than the nominees of the Democratic National Convention.

### **XIII. CHALLENGES**

#### **A. Jurisdiction & Standing**

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2008 Democratic National Convention* (Regs., Sec. 3.), and the "Rules of Procedure of the Credentials Committee of the 2008 Democratic National Convention."
2. Under Rule 20.B. of the *2008 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plans.
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2008 Democratic National Convention.
4. Challenges to the credentials of delegates and alternates to the 2008 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the "Rules of Procedure of the Credentials Committee of the 2008 Democratic National Convention."
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the*

*2008 Democratic National Convention.* The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention.

6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2008 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (Appendix A), shall be made available by the State Party upon reasonable request.
7. Any group of fifteen Democrats with standing to challenge as defined in Reg. 3.2 or the Call (Appendix A, Sec. 2.A.), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

#### B. Challenges to the Status of the State Party and Challenges to the Plan

1. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than thirty (30) calendar days prior to the initiation of the state's delegate selection process.
2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the *Error! Reference source not found.* Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within fifteen (15) calendar days after the adoption of the Plan by the State Party.
3. A challenge to a Plan must be brought in conformity with the Rules and the Regs., which should be consulted for a detailed explanation of challenge procedures.

#### C. Challenges to Implementation

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention. However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process.
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than fifteen (15) days after the alleged violation occurred. The State Party has twenty-one (21) days to render a decision. Within ten (10) days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within ten (10) days after expiration of the above twenty-one (21) day period.
3. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. The procedures are the same for challenges alleging failure to properly implement the Affirmative Action section of a Plan, except that such challenges must be filed not later than thirty (30) days prior to the initiation of the state's delegate selection process.

4. Depending on the appropriate jurisdiction, implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

# Exhibit 1

## ALLOCATION OF DELEGATES AND ALTERNATES TO CONGRESSIONAL DISTRICTS

The “Allocation Factor” for each congressional district gives equal weight to its Democratic vote in the gubernatorial and presidential races. It is computed as follows:

$$A = (1/2) \frac{\text{2004 Easley CD Vote}}{\text{Statewide Easley Vote}} + (1/2) \frac{\text{2004 Kerry CD Vote}}{\text{Statewide Kerry Vote}}$$

Each congressional district’s entitlement is then computed by multiplying its Allocation Factor by the number of District-Level delegates (77) and alternates (10) to which the State is entitled.

$$\begin{aligned} \text{Delegates for Congressional District X} &= A \times 77 \\ \text{Alternates for Congressional District X} &= A \times 10 \end{aligned}$$

Example: First Congressional District

$$A = (1/2) \frac{(154,767)}{(1,939,154)} + (1/2) \frac{(128,104)}{(1,525,849)}$$

$$A = (1/2) (.0798) + (1/2) (.0840)$$

$$A = .0399 + .042$$

$$A = .0819$$

$$.0819 \times 77 = 5 \text{ Delegates}$$

$$.0819 \times 10 = 1 \text{ Alternates}$$

District	Presidential	Gubernatorial	Allocation Factor	Delegates	Alternates
1	128104	154767	0.08188367	6	1
2	108260	140239	0.07163495	6	1
3	79271	120400	0.05702033	4	0
4	193737	222409	0.1208319	9	1
5	95465	137008	0.0666091	5	1
6	86206	128414	0.0613594	5	1
7	111363	147894	0.07462588	6	1
8	104229	132029	0.06819723	5	1
9	110679	140186	0.07241404	6	1
10	84067	117848	0.05793389	5	1
11	126386	155483	0.08150521	6	1
12	150356	165160	0.09185526	7	1
13	147725	177323	0.09412914	7	1
Total	1525848	1939158	1.50941121	77	12

## Exhibit 2

**North Carolina Democratic Party  
Delegate Selection and  
Affirmative Action Committee  
for  
2008 Democratic National Convention  
Delegate Selection Process**

Kevin Smith (B, M)  
**COMMITTEE CHAIR**

Wayne Abraham (W, M)  
Tom Coley (W, M)  
Jeannette Council (B, F)  
Robert Davis (B, M)  
Laura DeCastro (H, F)  
Matty Lazo-Chadderton (H,F)  
Barbara Faison (B, F)  
Luke Hyde (W, M)  
June Mabry (A, F)  
Frances McDuffie (B, F)  
Tony McEwen (W, M)  
Reva McNair (B, F)  
Hayes McNeil (W, M)  
Dannie Montgomery (B, F)  
Muriel Offerman (W, F)  
Ian Palmquist (W, M)  
Judy Gilbert (W, F)  
Barbara McKoy (B, F)  
Vernon Ward (W, M)  
Kennis Wilkins (B, M)  
Melvin Williams (W, M)