

# MARYLAND DELEGATE SELECTION PLAN

FOR THE 2012 DEMOCRATIC NATIONAL CONVENTION

Issued by the Maryland Democratic Party

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## SECTION I INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

### A. Introduction

1. Maryland has a total of 120 delegates and : alternates. (Call, I. & Appendix B.)
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2012 Democratic National Convention* (“Rules”), the *Call for the 2012 Democratic National Convention* (“Call”), the *Regulations of the Rules and Bylaws Committee for the 2012 Democratic National Convention* (“Regs.”), the rules of the Democratic Party of Maryland, the Maryland Code, and this Delegate Selection Plan. (Call, II.A.)
3. Following the adoption of this Delegate Selection Plan by the State Party Committee, it shall be submitted for review and approval by the DNC Rules and Bylaws Committee (“RBC”). The State Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the State Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings. (Regs. 2.5, 2.6 & 2.7)
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the State Party will be submitted to and approved by the RBC before it becomes effective. (Reg. 2.9)

### B. Description of Delegate Selection Process

1. Maryland will use a proportional representation system based on the results of the primary for apportioning delegates to the 2012 Democratic National Convention.
2. The “first determining step” of Maryland’s delegate selection process will occur on April 3, 2012 with a primary.
3. Voter Participation in Process
  - a. Participation in Maryland's delegate selection process is open only to Maryland voters registered as Democrats. Voters registered as "unaffiliated"

- or "independent" may not participate in the delegate selection process
- (1) Voter registration applications may be submitted to local boards of election or the State Board of Elections at any time. An application must be postmarked by March 13, 2012 to vote in the Primary Election.
  - (2) Voters may change their party affiliation by sending a voter registration application or on any other signed written notice to the local board of election. Any change must be received by March 13, 2012 to impact a voter's participation in the delegate selection process.
  - (3) The State Party will conduct voter registration drives to encourage non-affiliated voters to participate in the delegate selection process
- b. At no stage of Maryland's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. (Rule 2.D. & Reg. 4.4.)
  - c. No persons shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding elections. (Rule 2.E.)
  - d. No person shall vote in more than one meeting which is the first meeting in the delegate selection process. (Rule 3.E. & Reg. 4.6.)
4. Maryland is participating in the state government-run presidential preference primary that will utilize government-run voting systems. The State Party has taken provable positive steps to:
- a. Promote the acquisition of accessible precinct based optical scan systems, wherever possible. (Rule 2.H.(1))
  - b. Seek enactment of legislation, rules, and policies at the state and local level to ensure that direct recording electronic systems include a voter verified paper trail (Rule 2.H.(2))
  - c. Seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These 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. (Rule 2.H.(3))
- d. These provable positive steps have included: public endorsement by the State Party of relevant legislation; efforts to educate public on need for such policies; lobbying of elected officials on such matters by members of the State Party; organization of advocacy campaigns targeting legislators and media; and promoting legislation in appropriate committees and advisory bodies.

## SECTION II PRESIDENTIAL CANDIDATES

### A. Ballot Access

1. A presidential candidate gains access to the Maryland presidential preference primary ballot, by direction of the Secretary of State of Maryland or by filing with the State Board of Elections
  - a. The Secretary of State shall place the name of the candidates for the Democratic Party nomination on the ballot during the period beginning 90 days before the primary election and ending 80 days before the primary election. The Secretary shall place the name of a presidential candidate on the ballot when he has determined in his sole discretion that the candidate's candidacy is generally advocated or recognized in the news media throughout the United States or Maryland, in accordance with national party rules, unless the candidate executes and files with the Secretary of State an Affidavit stating without qualification that he is not and does not intend to become a candidate for the office in the Maryland Primary Election; (Section 8-502c(i), Annotated Code of Maryland)
  - b. A candidate may file with the State Board of Elections a petition in the form prescribed by the State Board which shall contain the signatures of at least 400 registered voters from each congressional district in the State. This petition must be filed on the Wednesday that is 83 days before the day of

- the election. (Section 8-502c(ii), Annotated Code of Maryland)
- B. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of his or her authorized representative(s) by January 3, 2012 (Rule 12.D.(1))
- C. Each presidential candidate (including uncommitted status) shall use his or her best efforts to ensure that his or her respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women. (Rule 6.I.)

### SECTION III SELECTION OF DELEGATES AND ALTERNATES

#### A. District-Level Delegates and Alternates

1. Maryland is allocated 64 district-level delegates and : district-level alternates. (Rule 8.C., Call, I.B., I.I. & Appendix B.)
2. District-level delegates and alternates shall be elected by a:
  - a. Two-part primary- a presidential preference primary that includes the election of delegates and alternates.
  - b. The Primary Election will take place on April 3, 2012.
3. Apportionment of District-Level Delegates and Alternates
  - a. Maryland's district-level delegates and alternates are apportioned among the districts based on a formula giving (Rule 8.A.; Regs. 4.10., 4.11 & Appendix A)
    - (1) Equal weight to the vote for the Democratic candidates in the 2008 presidential and the most recent gubernatorial elections.
  - b. The state's total number of district-level delegates will be equally divided between men and women. (Rule 6.C. (1) & Reg. 4.8.)
  - c. The district-level delegates and alternates are apportioned to districts as indicated in the following chart:

District	Delegates			Alternates		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
<b>1</b>	3	3	<b>6</b>	1		<b>1</b>
<b>2</b>	4	3	<b>7</b>		1	<b>1</b>
<b>3</b>	4	4	<b>8</b>	1		<b>1</b>
<b>4</b>	5	5	<b>10</b>		1	<b>1</b>
<b>5</b>	5	5	<b>10</b>		1	<b>1</b>
<b>6</b>	2	3	<b>5</b>	3		<b>1</b>
<b>7</b>	4	5	<b>9</b>	1		<b>1</b>
<b>8</b>	5	4	<b>9</b>		1	<b>1</b>
Total	32	32	<b>64</b>	6	4	<b>8</b>

#### 4. District-Level Delegate and Alternate Filing Requirements

- a. A district-level delegate and alternate candidate may run for election only within the district in which he or she is registered to vote. (Rule 12.H.)
- b. An individual can qualify as a candidate for district-level delegate or alternate to the 2012 Democratic National Convention by filing a statement of candidacy designating his or her presidential (or uncommitted) preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party (located at 33 West St, Annapolis) and the State Board of Elections by January 11, 2012. (Rules 12.B. & 14.F.)
- c. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions. (Rule 12.C.)

#### 5. Presidential Candidate Right of Review for District-Level Delegates and Alternates

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 PM on January 12, 2012 a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (Rules 12.D. & 12.F.)

- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair at 33 West St, Annapolis by January 13, 2012 at 5:00 PM a list of all such candidates he or she has approved, provided that approval be given to at least the number of delegate and alternate candidates allocated to each district. (Rule 12.E.(1), Reg. 4.23.)
- c. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than January 13, 2012 at 5:00 PM.
- d. National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (Rule 12.E. & Reg. 4.23.)
- e. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective district-level delegate candidates and district-level alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates and district-level alternate candidates as indicated in section III.A.5.b of this Plan.

## 6. Fair Reflection of Presidential Preference

- a. Presidential Primary - Proportional Representation Plan (Rules 13.A., 13.B. & 13.D.)

The Maryland presidential primary election is a "binding" primary. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded

- any delegates or alternates.
- b. Within a district, if no presidential preference reaches a 15% threshold, the threshold shall be the percentage of the vote received in that district by the front-runner minus 10%. (Rule 13.F.)
  - c. In the event that a presidential candidate is eligible to receive delegates and alternates, but fails to slate a sufficient number of delegate and alternate candidates, the Democratic State Central Committee shall elect sufficient delegates and alternates pledged to that presidential candidate (Rule 13.C.)
    - (1) Selection of these delegate and/or alternates will occur at a meeting of the full Democratic State Central Committee on May 12, 2012 prior to the election of pledged at-large and PLEO delegates
    - (2) The selection of these delegates and alternates will uphold the equal division and affirmative action provisions outlined in the Delegate Selection Plan
    - (3) An individual can qualify as a candidate for any such delegate or alternate position by filing a declaration of candidacy with the State party from April 16 to April 30, 2012. Every declaration of candidacy must be accompanied by a pledge of support for the presidential candidate or declaration of uncommitted status, for which the positions are vacant. Candidates may file concurrently for other eligible positions.
    - (4) The State Democratic Chair shall convey to the presidential candidates or their authorized representative(s), no later than May 1, 2012, a list of all persons who have filed pledged to that candidate. Each candidate or their authorized representative(s), must file with the State Chair at 33 West St, Annapolis by 5:00 PM on May 4, 2012 a list of all such candidates that have been approved provided that approval be given to at least the number of vacant delegate and alternate positions. Failure to respond will be deemed approval of all delegate and alternate submitted, unless signified otherwise in writing to the State Chair no later than May 4, 2012
7. Equal Division of District-Level Delegates and Alternates
- a. In order to ensure the district-level delegates are equally divided between men and women, delegate positions within each district will be designated

- by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions, alternating by sex as mathematically practicable, will continue with the next highest vote-getting preferences in descending order until the gender of each position has been assigned. (Rule 6.C.(1) & Reg. 4.8.)
- (1) Equal division of delegates at the district-level will be achieved by listing district-level delegate candidates on the ballot in separate categories for male and female candidates.
  - (2) In districts with an odd number of delegates, the first delegate selected for the winning presidential preference must be of the same sex as the advantaged gender in that district. Following that determination, the allocation would continue alternating by gender for the winning presidential preference and any subsequent preferences. In districts with an even number of delegates, the highest-vote getting delegate candidate for the district's winning presidential preference will be the first delegate assigned. Following that determination, the state will then designate the remaining positions for that presidential preference and any subsequent preferences alternating by gender, as mathematically practicable.
- b. After the delegates are selected, the alternates will be awarded, using the same process described above.
8. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district-level delegates and alternates to the Democratic National Convention within ten (10) days after their election. (Rule 8.C. & Call, IV.A.)

## **B. Unpledged Delegates**

1. Unpledged Party Leaders and Elected Officials
  - a. The following categories (if applicable) shall constitute the Unpledged Party Leaders and Elected Official delegate positions:
    - (1) Members of the Democratic National Committee who legally reside in the state; (Rule 9.A.(1), Call, I.F., J., & Reg. 4.13.)

- (2) All of Maryland's Democratic Members of the U.S. House of Representatives and the U.S. Senate; (Rule 9.A.(3), Call I.H. & J.)
  - (3) The Democratic Governor (Rule 9.A.(4), Call I.H. & J.)
  - (4) "Distinguished Party Leader" delegates who legally reside in the state (if applicable); (Rule 9.A.(5), Call I.G., and Reg. 4.13.)
- b. The certification process for the Unpledged Party Leader and Elected Official delegates is as follows:
- (1) Not later than March 1, 2012, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the unpledged delegates who legally reside in Maryland (Rule 9.A.)
  - (2) Official confirmation by the Secretary shall constitute verification of the unpledged delegates from the categories indicated above. (Call, IV.B.1.)
  - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of state's unpledged delegates 10 days after the completion of the State's Delegate Selection Process. (Call, IV.B)

### **C. Pledged Party Leader and Elected Official (PLEO) Delegates**

1. Maryland is allotted 12 pledged Party Leader and Elected Official (PLEO) delegates. (Call, I.D., E. & Appendix B)
2. Pledged PLEO Delegate Filing Requirements
  - a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors, county executives and statewide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials and party leaders. (Rule 9.B.(1) & Reg. 4.15.)
  - b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by filing a declaration of candidacy with the State Party during regular business hours at 33 West St., Annapolis Maryland 21401 between

- April 16 and April 30, 2012. Candidates may file concurrently for other eligible positions. (Rules 9.B.(3), & 14.G., Reg. 4.16.)
- c. If persons eligible for pledged PLEO delegate positions have not already made known their presidential preference (or uncommitted status) as candidates for district-level or at-large delegate positions, their preference shall be ascertained through signed pledges of support for a presidential candidate (or uncommitted) filed with their declaration of candidacy (Rule 9.B.(3) & Reg. 4.16.)
3. Presidential Candidate Right of Review
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than May 1, 2012 at 5:00 PM a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. (Rules 9.B.(3) & 12.D.)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair at 33 West St, Annapolis by May 4, 2012 at 5:00 PM or immediately after all elections for district-level delegates are completed (whichever is later), a list of all such candidates he or she has approved, as long as approval is given to at least one name for every position to which the presidential candidate is entitled. (Rule 12.E.(2) & Reg. 4.23.)
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than May 4, 2012 at 5:00 PM or immediately after all elections for district-level delegates are completed (whichever is later)
  - d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates as indicated in section III.C.3.b of this Plan.

4. Selection of Pledged Party Leader and Elected Official Delegates
  - a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. (Rule 9.B.(2), 10.C., 13.E. & F.)
  - b. Selection of the pledged PLEO delegates will occur at the meeting of the Democratic State Central Committee on May 12, 2012 which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates and alternates. (Rule 9.B.)
  - c. These delegates will be selected by the Democratic State Central Committee, provided that: (Rule 9.C.)
    - (1) Membership on the State Central Committee is apportioned giving equal weight to population, vote for the Democratic candidates in 2008 and 2004, and vote for the Democratic candidate in the 2010 gubernatorial election. (Rule 9.C.(1))
    - (2) Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection (Rule 9.C.(2))
    - (3) Such delegates are elected at a public meeting subsequent to the election of district-level delegates. (Rule 9.C.(3))
    - (4) Members of the State Party Committee shall have been elected no earlier than the date of the 2010 Primary Election (Rule 9.C.(4))
    - (5) Membership of the State Party Committee complies with the equal division requirements of Article 9, Section 16 of the Charter of the Democratic Party of the United States. (Rule 9.C.(5))
  - d. Alternates are not selected at the pledged Party Leader and Elected Official level. These alternates are combined with the at-large alternates and selected as one unit. (Reg. 4.30.)
5. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within ten (10) days after their election. (Rule 8.D. & Call, IV.A.)

## **D. At-Large Delegates and Alternates**

1. The state of Maryland is allotted 21 at-large delegates and 0 at-large alternates. (Rule 8.C., Call, I.B., II. & Appendix B)
2. At-Large Delegate and Alternate Filing Requirements
  - a. Persons desiring to seek at-large delegate or alternate positions may file a statement of candidacy designating their presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party at 33 West St, Annapolis by April 30, 2012 at 5:00 PM. Candidates may file concurrently for other eligible positions. (Rules 12.B. & 14.G.; Regs. 4.21. & 4.27.)
  - b. The statement of candidacy for at-large delegates and for at-large alternates will be the same. After the at-large delegates are elected by the Democratic State Central Committee, those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing. (Rule 18.A.)
3. Presidential Candidate Right of Review
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than May 1, 2012 at 5:00 PM a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (Rule 12.D; Reg. 4.22. & 4.27.)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair at 33 West St, Annapolis by May 4, 2012 at 5:00 PM or immediately after all elections Party Leader and Elected Official delegates are completed (whichever is later), a list of all such candidates he or she has approved, provided that, at a minimum, one remains for every national convention delegate or alternate position to which the presidential candidate is entitled. (Rule 12.E.(2) & Reg. 4.23.)
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than May 4, 2012 at 5:00 PM.

- d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates as indicated in section III.D.3.b of this Plan.

#### 4. Fair Reflection of Presidential Preference

- a. At-large delegate and alternate positions shall be allocated among presidential preferences according to the state-wide primary vote. (Rule 10.C.)
- b. Preferences which have not attained a 15% threshold on a state-wide basis shall not be entitled to any at-large delegates. (Rule 13.E.)
- c. If no presidential preference reaches a 15% threshold, the threshold shall be the percentage of the statewide vote received by the front-runner, minus 10%. (Rule 13.F.)
- d. If a presidential candidate is no longer a candidate at the time of selection of the at-large delegates, then those at-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation. (Rule 10.C.)
- e. 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 18.B., Call, I.I. & Reg. 4.30.& 4.33.)

#### 5. Selection of At-Large Delegates and Alternates

- a. The selection of the at-large delegates and alternates will occur at the meeting of the full Democratic State Central Committee on May 12, 2012 which is after pledged Party Leader and Elected Official delegates have been selected.(Rule 8.D. & Call, III.)
- b. These delegates and alternates will be selected by majority vote of the Democratic State Central Committee given adherence to all provisions in

III.C.4.c of the Delegate Selection Plan (Rules 10.B. & 8.E.)

c. Priority of Consideration

- (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. (Rule 6.A.)
  - (2) In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given other groups by virtue of race/ethnicity, age, sexual orientation or disability. (Rules 5.C., 6.A.(3), & Reg. 4.7.)
  - (3) The election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of positions between men and women, and may be used to achieve the representation goals established in the Affirmative Action section of this Plan. (Rule 6.A. & 6.C.)
  - (4) Delegates and alternates are to be considered separate groups for this purpose. (Rules 6.A.(3), 10.A. & Regs. 4.8 & 4.19.)
6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates and alternates to the Democratic National Convention within ten (10) days after their election. (Rule 8.C. & Call, IV.A.)

**E. 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: (Rule 18.D.(2))
    - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the national convention and the alternate replaces the delegate for the remainder of the National Convention.
    - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and sex of the

delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate.

(a) In the case where the presidential candidate has only one alternate, that alternate shall become the certified delegate.

(b) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite sex, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 18.D.(2), the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women. (Reg. 4.32.)

b. Temporary Replacement of a Delegate: (Rule 18.D.(3))

(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 preference (including uncommitted status) as the delegate he/she replaces, and to the extent possible shall be of the same sex and from the same political subdivision within the state as the delegate.

c. Should the need arise to select permanent and/or temporary replacements of delegates, the delegation shall be authorized to select the alternate. (Rule 18.D.(1))

d. Certification of Replacements

(1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. (Rule 18.D.(2))

(2) 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 Maryland's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the

replacement is selected. (Call, IV.D.1.)

- (3) 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. (Call, IV.D.1. & Reg. 4.31.)
  - (4) In the case where a pledged delegate is permanently replaced after 48 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate 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 (Call, VIII.F.3.d., VIII.F.3.b. & Reg. 5.5.)
- e. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same sex and, to the extent possible, from the same political subdivision as the alternate being replaced. (Rule 18.E.)
2. Unpledged delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: (Rule 18.E. & Reg. 4.33.)
    - a. Members of Congress and the Democratic Governor shall not be entitled to name a replacement. In the event of changes or vacancies in the state's 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. (Call, IV.D.2.a.)
    - b. Members of the Democratic National Committee 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 2012 Democratic National Convention, acknowledgment by the Secretary of the new DNC member

- certification shall constitute verification of the corresponding change of unpledged delegates. (Call, IV.D.2.b.)
- c. Unpledged distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement. (Call, IV.C.2.c.)
  - d. In no case may an alternate cast a vote for an unpledged delegate. (Call, VIII.F.3.d.)

## **SECTION IV CONVENTION STANDING COMMITTEE MEMBERS**

### **A. Introduction**

1. Maryland has been allocated 1 member on each of the three standing committees for the 2012 Democratic National Convention (Credentials, Platform and Rules), for a total of 3 members. (Call, VII.A. & Appendix D.)
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2012 Democratic National Convention. (Call, VII.A.3.)
3. These members will be selected in accordance with the procedures indicated below. (Rule 1.G.)

### **B. Standing Committee Members**

1. Selection Meeting
  - a. The members of the standing committees shall be elected by a quorum of Maryland's National Convention delegates, at a meeting to be held on May 26, 2012 (Call, VII.B.1.)
  - b. All members of the delegation shall receive adequate notice of the time, date and place of the meeting to select the standing committee members. (Call, VII.B.1.)
2. Allocation of Members
  - a. The members of the standing committees allocated to Maryland shall proportionately represent the presidential preference of all candidates

- (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 13.E. of the Delegate Selection Rules. (Call, VII.C.1. & Reg. 5.7.)
- 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 Maryland. 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. (Call, VII.C.2.)
  - 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. (Call, VII.C.3.)
  - d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, 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. (Call, VII.C.4.)
3. Presidential Candidate Right of Review
- a. Each presidential candidate, or that candidate's authorized representative(s), 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. (Call, VII.D.1.)
  - b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by the date of the delegation meeting, a minimum of one (1) name for each slot awarded to that candidate for 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 slot awarded to such candidate for members of standing committees. (Call, VII.D.2.)

#### 4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve Maryland's affirmative action goals and that their respective members are equally divided between men and women. (Rule 6.I. & Reg. 4.9.)
- b. Each position on each standing committee 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 for a male, the second position for a female, and the remaining positions shall be designated in like fashion, alternating between males and females. 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 sex, the designation shall continue with the Platform Committee, then the Rules Committee.
  - (1) A separate election shall be conducted for membership on each standing committee.
  - (2) 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. (Call, VII.E.1.)
  - (3) 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 sex.

#### 5. Certification and Substitution

- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. (Call, VII.B.3.)
- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected. (Call, VII.B.4.)

## **SECTION V THE DELEGATION**

- A. Maryland will select one (1) person to serve as Delegation Chair and three (3) to serve as Convention Pages. (Call, IV.E., F.1. & Appendix C.)

### **B. Delegation Chair**

1. Selection Meeting
  - a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on May 26, 2012 (Call, IV.E.)
  - b. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair. (Rule 3.C.)
2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after his or her selection. (Call, IV.E.)

### **C. Convention Pages**

1. 3 individuals will be selected to serve as Maryland's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place at a meeting held immediately prior to the delegation meeting on May 26, 2012 (Call, IV.F.3., Appendix C & Reg. 5.6.)

2. The Convention 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 Action guidelines in the Affirmative Action Plan. (Reg. 5.6.A.)
3. The State Democratic Chair shall certify the individuals to serve as Maryland's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. (Call, IV.F.3. & Reg. 5.6.B.)

## **SECTION VI GENERAL PROVISIONS AND PROCEDURAL GUARANTEES**

- A. The Maryland Democratic Party reaffirms its commitment to an open party by incorporating the ‘six basic elements’ as listed below. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. (Rules 4.A. & C.)
1. All public meetings at all levels of the Democratic Party in Maryland should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status or physical disability (hereinafter collectively referred to as “status”). (Rule 4.B.(1))
  2. No test for membership in, nor any oaths of loyalty to the Democratic Party in Maryland 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.” (Rule 4.B.(2))
  3. The time and place for all public meetings of the Democratic Party in Maryland on all levels should be publicized fully and in such 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. (Rule 4.B.(3))
  4. The Democratic Party in Maryland, on all levels, should support the broadest possible registration without discrimination based on “status.” (Rule 4.B.(4))
  5. The Democratic Party in Maryland should publicize fully and in such a 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 fashion that all prospective and current members of each State 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. (Rule 4.B.(5))

6. The Democratic Party in Maryland should 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 State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. (Rule 4.B.(6))
- B. Discrimination on the basis of 'status' in the conduct of Democratic Party affairs is prohibited. (Rule 5.B.)
  - C. Maryland's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate 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. (Rule 6.C.)
  - D. 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.)
  - E. 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 the delegate is elected. (Rule 12.I.)
  - F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. (Rule 12.J.)
  - G. 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. (Rule 12.H. & Reg. 4.24.)

- H. A majority of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants. (Rule 15)
- I. Proxy voting will not be permitted in the delegate selection process. (Rule 16 & Reg. 4.28.)
- J. 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 the body, shall not be used at any stage of the delegate selection process. (Rule 17.A.)
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. (Rule 17.B.)
- L. 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.)
- M. In electing and certifying delegates and alternates to the 2012 Democratic National Convention, Maryland 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 2012 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.)

**SECTION VII**  
**AFFIRMATIVE ACTION, OUTREACH AND INCLUSION PLAN**

**A. Statement of Purpose and Organization**

1. Purpose and Objectives

- a. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by Maryland. (Rule 5.A.)
- b. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. (Rule 5.B.)
- c. All public meetings at all levels of the Democratic Party in Maryland should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status or physical disability (hereinafter collectively referred to as “status”). (Rule 4.B.(1))
- d. Consistent with the Democratic Party’s commitment to including groups historically under-represented in the Democratic Party’s affairs, by virtue of race/ethnicity, age, sexual orientation, or disability, Maryland 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 2012. (Rule 5.C & Reg. 4.7.)
- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the Maryland Democratic Party has adopted and will implement programs with specific goals and timetables for African Americans, Native Americans, Hispanics, Asian Americans and Pacific Islanders and women. (Rule 6.A.)
  - (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. (Rule 6.A.(1))
  - (2) This goal shall not be accomplished either directly or indirectly by the Party’s imposition of mandatory quotas at any level of the delegate

selection process or in any other Party affairs. (Rule 6.A.(2))

- f. In order to achieve full participation of other groups that may be under-represented in Party affairs, including members of the LGBT community, organized labor, veterans and military families, new Americans, people with disabilities and youth, the Maryland Democratic Party has adopted and will implement Inclusion Programs (Rule 7)

## 2. Organizational Structure

- a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on March 1, 2011. (Rule 6.F.)
- b. The State Democratic Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the State's Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information no later than 15 days after their appointment. (Reg. 2.2.K)
- c. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan.
- d. The Affirmative Action Committee shall be responsible for:
  - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Chair.
  - (2) Reviewing the proposed Inclusion Programs and making recommendations to the State Democratic Chair.
  - (3) Directing the implementation of all requirements of the Affirmative Action section of this Plan.
  - (4) Implementing a financial assistance program for delegates and alternates. (Rule 6.G.)
  - (5) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian

Americans and Pacific Islanders and women. (Rule 6.E.)

- e. Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to, making available on a priority basis, the State Party staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.
3. Implementation of the Affirmative Action Plan shall begin on September 16, 2011, with the distribution of the press kits, and will continue through the end of the delegate selection process. (Rule 1.F.)

## **B. Efforts to Educate on the Delegate Selection Process**

1. Well publicized educational workshops will be conducted in each of the delegate districts beginning in September 2011. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate candidates of the availability of financial assistance. These workshops will be held in places which are easily accessible to persons with physical disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting populace. (Rules 3.A., 3.C. & 3.D.)
2. A speakers bureau of volunteers from the Affirmative Action Committee comprised of individuals who are fully familiar with the process, will be organized to appear before groups, as needed, to provide information concerning the process.
3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and making sure that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.
4. The State Party will publish and make available at no cost: a clear and concise explanation of how Democratic voters can participate in the delegate selection process; an explanation of how, where and when persons can register to vote; and delegate district maps. As well, the State Party shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan, and relevant state statutes at no cost.

Copies of documents related to the state's delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than September 2011. (Rule 1.H.)

5. The State Party shall take all feasible steps to encourage persons to register and to vote as Democrats and will seek to ensure simple and easy registration procedures. (Rule 2.C.)
6. The State Party will be actively involved in encouraging persons to volunteer, support and be involved in campaigns committed to elected Democratic candidates.

### **C. Efforts to Publicize the Delegate Selection Process**

1. Special attention shall be directed at publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process and where to get additional information. The foregoing information will also be published in the State Party website. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the Democratic National Convention. (Rules 3.C. and 3.D.)
2. Newspapers, radio, television, websites, blogs and social media will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a delegate candidate. Special effort shall be directed to the major daily newspapers, radio and television stations by the State Democratic Chair, Affirmative Action Committee members and staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage. (Rules 4.B.(3) & 6.D.)
3. A priority effort shall be directed at publicity among the Democratic Party's constituencies.
  - a. Information about the delegate selection process will be provided to minority newspapers and radio stations, ethnic press, Asian Americans and Pacific Islanders, Spanish-speaking and other non-English press, radio stations and publications, and women's organizations, student newspapers,

- gay and lesbian press, disability press, and any other specialty media in the state that is likely to reach the Democratic constituency groups set forth in the Introduction of this Affirmative Action Plan.
- b. The State Party shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of the primary election and Party meetings shall be effectively publicized, multilingual where necessary, to encourage the participation of minority groups. (Rule 6.D.)
4. Not later than September 2011 a press kit shall be made and provided to each daily and weekly newspaper as well as to the electronic media. The press kit will include:
    - a. A summary of all pertinent rules related to the state's delegate selection process;
    - b. A map of delegate districts and how many delegates will be elected within each district;
    - c. A summary explaining the operation and importance of the 2012 Convention; and
    - d. Materials designed to encourage participation by prospective delegate candidates.

#### **D. Representation Goals**

1. The State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state's Democratic electorate through data available from official government sources - such as the U.S. Census Bureau and the Maryland Department of Planning, relevant constituency caucuses at the DNC, and statewide exit polling data. These constituency percentages shall be established as goals for representation in the state's convention delegation. (Rule 6.A.)
2. The State Party has determined the demographic composition of members of the LGBT community, people with disabilities, and youth in the state's Democratic electorate through data available from official government sources - such as the U.S. Census Bureau and the Maryland Department of Planning,

from relevant constituency caucuses at the DNC, and statewide exit polling data, and furthermore, the State Party has chosen to establish these percentages as goals for representation in the state’s convention delegation.

	<b>African Americans</b>	<b>Hispanics</b>	<b>Native Americans</b>	<b>Asians and Pacific Islanders</b>	<b>LGBT Americans</b>	<b>People with Disabilities</b>	<b>Youth</b>
<b>% in Democratic Electorate</b>	39	8	0	5	5	7	23
<b>Numeric Goals for Delegation</b>	49	10	0	6	6	8	29

3. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and unpledged) shall be compared with the State Party’s goals in order to achieve an at-large selection process which helps to bring about a representative balance.
4. Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training. (Rule 6.A.(3))

**E. Obligations of Presidential Candidates to Maximize Participation**

1. Presidential candidates shall assist the Maryland Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan. (Rule 6.H.)
2. Each presidential candidate must submit a written statement to the State Democratic Chair at 33 West St, Annapolis by October 15, 2011 which indicates the specific steps he or she will take to encourage full participation in Maryland's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate. (Rule 6.H.(1))

3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. (Rule 6.H.(2))
4. Presidential candidates (including uncommitted status) shall use their best effort to ensure that their respective delegations within the state's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and that the respective delegations of each presidential candidate shall be equally divided between men and women. Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective delegations. (Rule 6.I. & Reg. 4.9.)

## **F. Inclusion Programs**

1. In order to achieve full participation of other groups that may be under-represented in Party affairs, including members of the LGBT community, organized labor, veterans and military families, new Americans, people with disabilities and youth, the Maryland Democratic Party has adopted and will implement Inclusion Programs.
2. The State Party has taken reasonable steps to determine the composition of members of the LGBT community, people with disabilities, and youth in the state's Democratic electorate.
3. In securing this level of full participation, the State Party will conduct the education and publicity outreach efforts outlined in Sections B and C of this Section respectively.
4. The State Party will make accommodations to facilitate greater participation by people with disabilities.

## **SECTION VIII 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 2012 Democratic National Convention* (Regs., Sec. 3.), and the “Rules of Procedure of the Credentials Committee of the 2012 Democratic National Convention.” (Call, Appendix A.)
2. Under Rule 20.B. of the *2012 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. (Rule 20.B. & Call Appendix A.)
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 2012 Democratic National Convention. (Call, Appendix A. & Reg., 3.1.)
4. Challenges to the credentials of delegates and alternates to the 2012 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 2012 Democratic National Convention.” (Call, Appendix A)
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 2012 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. (Call, VII.B.5.)
6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2012 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. (Rule 20.A. & Reg. 3.4.A.)
2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the Maryland 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. (Reg. 3.4.B.)
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 (See Section VII.A. above). 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. (Reg. 3.1.C.)
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. (Regs. 3.4.C., E., & H.)
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. (Rule

6.B.) 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. (Reg. 3.4.C.)

4. Depending on the appropriate jurisdiction (see Section VIII.A. above), 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.

## SECTION IX SUMMARY OF PLAN

### A. A. Selection of Delegates and Alternates

Maryland will use a proportional representation system based on the results of the primary apportioning its delegates to the 2012 Democratic National Convention.

The “first determining step” of Maryland’s delegate selection process will occur on April 3, 2012 with a primary.

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

Type	Delegates	Alternates	Selecting Body and Date
			Filing requirements and Deadlines
District Level Delegates District Level Alternates	64	:	Two-part primary on April 3, 2012 File with the SBE by January 24, 2012
Unpledged Party Leader and Elected Officials*	23	0	Automatics by virtue of respective public or Party office as provided by Rule 8.A
Pledged Party Leaders and Elected Officials**	12	0	Democratic State Central Committee on May 12, 2012 File with the State Party by April 30, 2012
At-Large Delegates At-Large Alternates	21	0	Democratic State Central Committee on May 12, 2012 File with the State Party by April 30, 2012
<b>TOTAL</b>	<b>120</b>	<b>8</b>	

\* Unpledged Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic Members of Congress, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the *2012 Delegate Selection Rules*. The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

\*\* Pledged Party Leader and Elected Official (PLEO) alternates are selected with the At-Large alternates.

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

Standing committee members will be selected by the state's National Convention delegates as summarized below:

<b>Members Per Committee</b>	<b>Total Members</b>	<b>Selection Date</b>	<b>Filing Requirements and Deadlines</b>
1	3	May 26, 2012	Selected by Convention Delegation from list submitted by presidential candidates prior to meeting

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

The Delegation Chair will be selected by the National Convention Delegates on May 26, 2012.

3 Convention Pages will be selected by the State Democratic Chair on May 26, 2012.

### **D. Presidential Candidate Filing Deadline**

The Secretary of State will certify nationally recognized candidates beginning 90 days and ending 80 days before the April 3rd Primary, or candidates can file a nomination petition which shall contain the signatures of at least 400 registered voters from each congressional district in the State with the State Board of Elections 83 days prior . (Rule 11.B. & 14.E.)

Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by January 3, 2012.

### E. Timetable

<b>Date</b>	<b>Activity</b>
<b>2011</b>	
<b>March 1, 2011</b>	Delegate Selection Affirmative Action Committee members are appointed by the State Chair.
<b>March 15, 2011</b>	Delegate Selection Affirmative Action Committee members submitted to the Rules and Bylaws Committee including names, contact information and demographic data.
<b>March 23, 2011</b>	Affirmative Action Committee meets to review Delegate Selection and Affirmative Action Plans
<b>March 27, 2011</b>	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Party Chair
<b>March 28, 2011</b>	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period.
<b>April 27, 2011</b>	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee.
<b>April 27, 2011</b>	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
<b>May 1, 2011</b>	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
<b>September 16, 2011</b>	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.

**October 30, 2011** Deadline for each announced presidential candidate to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process. (Individuals who announce their candidacy after this date must provide this full participation statement to the State Party not later than 30 days after their announcement.)

**December 24, 2011** Presidential candidate petition forms are available from the State Party Committee Headquarters.

## 2012

**January 3, 2012** Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at [www.mddems.org].

**January 3, 2012** Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.

**January 11, 2012** Presidential candidate deadline for filing the petition of candidacy with the State Board of Elections, Secretary of State and a copy to the State Party.

**January 11, 2012** District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with State Board of Elections and State Party.

**January 12, 2012** State Party provides list of district-level delegate and alternate candidates to the respective Presidential candidates.

**January 13, 2012** Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.

**April 3, 2012** **Presidential preference primary.**

**April 13, 2012** Secretary of State certifies results of primary; pre-slated district-level delegates and alternates are allocated according to presidential preference.

**April 23, 2012** State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.

**April 30, 2012** Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.

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**May 1, 2012** State Party provides list of PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.

**May 4, 2012** Presidential candidates provide approved list of pledged PLEO delegate candidates to State Party.

**May 12, 2012** State Committee convenes. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate and alternate candidates to State Party. State Committee selects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party.

**May 22, 2012** State Party certifies remainder of elected delegates and alternates (PLEOs and at-large). State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Unpledged Delegates.

**May 26, 2012** National Convention delegation meeting. Presidential candidates submit lists of candidates for standing committee members to State Party. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.

**May 29, 2012** State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.

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