



**Democratic NPL**  
*of North Dakota*

**2016 Delegate Selection Plan**

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## **Section I**

### **Introduction & Description of Delegate Selection Process**

#### ***A. Introduction***

1. North Dakota has a total of 23 delegates and 2 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 2016 Democratic National Convention (“Call”), the Regulations of the Rules and Bylaws Committee for the 2016 Democratic National Convention (“Regs.”), the rules of the Democratic-NPL Party of North Dakota 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. North Dakota will use a proportional representation system based on the results of the caucus for apportioning delegates to the 2016 Democratic National Convention.
2. The “first determining step” of North Dakota’s delegate selection process will occur on June 7<sup>th</sup>, 2016, with a caucus
3. Voter Participation in Process
  - a. Participation in North Dakota’s delegate selection process is open to all voters who wish to participate as Democrats. (Rules 2.A. & 2.C. & Reg. 4.3.)

1. Given that North Dakota has neither party nor any voter registration there are no requirements for voter registration for participation in the caucus.

2. Any person eighteen years of age or older who resides in North Dakota and is willing to be identified with the Democratic-NPL Party, its principles and its processes, shall be encouraged to and may participate fully, without discrimination on the grounds of race, sex, sexual orientation, gender identity, age, color, creed, national origin, religion, ethnic identity, economic status, or persons with disabilities (hereinafter collectively referred to as “status”) as a delegate or alternate. Individuals will declare they are a Democrat by attending and participating in the presidential preference caucus, district convention or state convention. Participants shall be required to state that they are participating as a Democrat in the 2016 election and that statement shall be publically recorded on the sign in sheet at the caucus.

b. At no stage of North Dakota’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. Local units (i.e. legislative districts) and the State Party may solicit voluntary contributions in order to help defray the costs of the meetings. (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. Pursuant to Rule 3.A and Reg. 4.5: The dates, times and places for all official Party meetings and events related to the state’s delegate selection process have been scheduled to encourage the participation of all Democrats. Such meetings will begin and end at reasonable hours. The state party is responsible for selecting the dates and times and providing facilities for all official meetings and events related to this process. In addition, the scheduling of meetings shall consider any religious observations that could significantly affect participation.

## **Section II**

### **Presidential Candidates**

#### ***A. Ballot Access***

1. A presidential candidate is eligible to participate in the North Dakota's first-tier caucuses, by submitting their name to the State Democratic-NPL Chair via email at [people@demnpl.com](mailto:people@demnpl.com) by , May 2<sup>nd</sup>, 2016 at 5:00 PM CT. (Rules 11.B., 14.A., 14.B., 14.D., 14.E., & 14.H.)

#### ***B. Other Requirements***

1. Each presidential candidate shall certify in writing to the State Democratic Chair via email at [people@demnpl.com](mailto:people@demnpl.com), the name(s) of his or her authorized representative(s) by May 2, 2016 at 5:00 PM CT. (Rule 12.D. (1))

2. 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 are equally divided between men and women. (Rule 6.I.)

## Section III

### Selection of Delegates and Alternates

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

1. North Dakota is allocated 12 district-level delegates and 2 district-level alternates. (Rule 8.C., Call, I.B., I.I. & Appendix B.)
2. District-level delegates and alternates shall be elected by a convention system consisting of two levels: a legislative district caucus and a state delegate selection meeting.

##### a. Legislative District Caucuses

1. The Legislative District Caucuses will occur June 7th, 2016 at 7:00 PM local time at the legislative district level. Each legislative district will hold open caucuses for the purposes of selecting delegates and alternates to the state delegate selection meeting and for the purpose of holding presidential caucuses. Each legislative district caucus will be entitled to elect one delegate and one alternate to the state delegate selection meeting for every 300 votes cast for the Democratic-NPL Party candidate for president in the last presidential election. (Rule 8.B.)

2. The legislative caucus meeting time and location will be widely disseminated and publicized throughout the state by use of the official Democratic-NPL Party website, ([www.demnpl.com](http://www.demnpl.com)), e-mail, daily and weekly newspapers; radio and television public service announcements and news releases. Information about the time and location will be available from North Dakota Democratic-NPL Headquarters located at 1902 E Divide Ave in Bismarck, ND, a schedule can also be obtained by calling 701-255-0460 or emailing [people@demnpl.com](mailto:people@demnpl.com).

##### 3. Legislative District Caucus Procedures

- a. At 7:00 p.m. local time, the caucus will be called to order by the chair. The chair will be the legislative district chair. If the legislative district chairperson does not attend the caucus, those members of the district in attendance shall elect a chairperson to serve for the meeting.

b. The chairperson shall call for requests to caucus. Any participant may request a preference caucus on a candidate or issue. The request shall be granted, provided there are enough people committing themselves to attend the preference caucus to be entitled, proportionally, to elect at least one full delegate to the state delegate selection meeting.

For example: District X is entitled to send 10 Delegates to the State Delegate Selection Meeting. There are 30 people that attend the Legislative District Caucus for District X. In order for a request to caucus to be granted, at least 3 attendees must commit themselves to the preference caucus.

c. The chairperson of the legislative district caucus shall select a temporary chairperson from and for each preference caucus and uncommitted caucus, and shall assign the number of full delegates and alternate that each preference caucus and the uncommitted caucus shall elect to the state delegate selection meeting. At least thirty minutes shall be granted for the preference and uncommitted caucuses.

d. Preference and uncommitted caucuses shall call for nominations for delegates and alternates to the state delegate selection meeting within their caucus. Persons wishing to be a delegate or alternate may nominate themselves. Starting with the election of the first delegate position the candidate receiving the highest number of votes will be elected to fill the allocated delegate position. After the delegates are elected then the alternate positions will be filled in the same manner.

e. The elected legislative district chairperson shall forward the name, address email and telephone number of each delegate and alternate to the State Party within two days of the legislative district caucus via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501.

#### b. State Delegate Selection Meeting

1. A meeting of delegates elected from the Legislative District caucuses shall be convened on June 18th, 2016 in Bismarck, ND for the purposes of electing delegates to the Democratic National



Convention. This shall be referred to as the State Delegate Selection Meeting (SDSM).

2. The SDSM time and location will be widely disseminated and publicized throughout the state by use of the official Democratic-NPL Party website, ([www.demnpl.com](http://www.demnpl.com)), e-mail, daily and weekly newspapers; radio and television public service announcements and news releases. A complete schedule of locations will be available from North Dakota Democratic-NPL Headquarters located at 1902 E Divide Ave in Bismarck, ND, a schedule can also be obtained by calling 701-255-0460 or emailing [people@demnpl.com](mailto:people@demnpl.com).

### 3. State Delegate Selection Meeting Procedure .

a. At 1:00 PM, the meeting will be called to order by the chair. The chair will be the state party chair.

b. Approved candidates for the delegate and alternate positions will be elected to the Democratic National Convention. Starting with the election of the first district level delegate position, the candidate receiving the highest number of votes using signed ballots [Rule 2(F)] will be elected to fill the delegate position. This process will repeat until all of the delegate positions are filled and then will repeat for the alternate positions in a method that ensures equal division requirements are met at both levels.

c. Only delegates elected from the Legislative District Caucuses representing the same preference caucus as candidates for a National Convention Delegate may vote in that delegate election.

### 3. Apportionment of District-Level Delegates and Alternates

a. North Dakota's district-level delegates and alternates are apportioned among the districts based on a formula giving equal weight to the vote for the Democratic candidates in the 2012 Presidential Elections and 2012 Governor's race. (Rule 8.A.; Regs. 4.10., 4.11 & Appendix A). This method was chosen rather than 2008 and 2012 Presidential results because the 2011 redistricting dramatically changed district lines.

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:

<b>District</b>	Delegates	Delegates	Delegates	Alternates	Alternates	Alternates
<b>Gender</b>	Male	Female	Total	Male	Female	Total
<b>District</b>	6	6	12	1	1	2
<b>Total</b>	<b>6</b>	<b>6</b>	<b>12</b>	<b>1</b>	<b>1</b>	<b>2</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 resides. (Rule 12.H.)

b. An individual can qualify as a candidate for district-level delegate or alternate to the 2016 Democratic National Convention by filing a statement of candidacy designating his or her singular presidential (or uncommitted) preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party **by June 10<sup>th</sup>, 2016 at 5:00 PM CT**. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by contacting the party by phone at (701) 255-0460 or by emailing [people@demnpl.com](mailto:people@demnpl.com). (Rules 12.B. & 14.F.) A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline.

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 via email to the presidential candidate, or that candidate's authorized representative(s), not later than June 13<sup>th</sup>, 2016 at 5:00 PM CT 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, by mail to 1902 E. Divide Avenue, Bismarck, ND 58501 or by email to

people@demnpl.com by **June 16<sup>th</sup>, 2016**, a list of all such candidates he or she has approved, provided that approval be given to at least three (3) times the number of candidates for delegate men and three (3) times the number of candidates for delegate women, and three (3) times the number of candidates for alternate men and three (3) times the number of alternate women to be selected. (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 **June 16<sup>th</sup>, 2016** at 5:00 PM CT.

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. North Dakota is a caucus/convention state. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential preference or uncommitted status of the caucus participants in each district. Therefore, the national convention delegates elected at the district level shall be allocated in proportion to the percentage of the legislative district caucus vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates. (Rule 13.B.)

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.)

#### 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.)

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.) (Regs. 5.3.B. & C.)

## ***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) Democratic President and Democratic Vice President (if applicable); (Rule 9.A.2., Call I.G.)

(3) All of North Dakota's Democratic Members of the U.S. House of Representatives and the U.S. Senate; (Rule 9.A.(3), Call I.H. & J.)

(4) The Democratic Governor (if applicable); (Rule 9.A.(4), Call I.H. & J.)

(5) "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, 2016**, 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 North Dakota. (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)

2. For purposes of achieving equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation, the entire delegation includes all pledged and unpledged delegates. (Rule 6.C)

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

1. North Dakota is allotted 2 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 and state-wide 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 filing a statement of candidacy designating their singular presidential or uncommitted preference and signed pledge of support with the State Party no later than **June 10<sup>th</sup>, 2016** at 5:00 PM CT in person to the State Chair or via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by contacting the party by phone at (701) 255-0460 or by emailing [people@demnpl.com](mailto:people@demnpl.com) (Rules 9.B.(3), & 14.G., Reg. 4.16.)

- c.)

- a. A delegate may modify his or her singular presidential preference by submitting an updated pledge of support prior to the filing deadline.

3. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey via email to the presidential candidate, or that candidate's authorized representative(s), not later than

**June 13<sup>th</sup>, 2016** at 5:00 PM CT a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate in person to the State Chair or via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501. An opportunity shall be provided for PLEO delegate candidates to file after the election of District Level Delegates. Adequate time shall be allotted for this to occur. (Rules 9.B.(3) & 12.D.)

b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, by June 16<sup>th</sup>, 2016 at 5:00 PM, a list of all such candidates he or she has approved, as long as approval is given to at least two names for every position to which the presidential candidate is entitled in person to the State Chair or via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501. Following the filing period for PLEO Delegates after the election of District Level Delegates, presidential candidates, or their authorized representative, shall be given an opportunity to review and approve this list of candidates. Adequate time shall be allotted for this to occur. (Rule 12.E.(2) & Reg. 4.23.)(Rule 9.B.(3))

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 June 16<sup>th</sup>, 2016 at 5:00 PM CT submitted in person to the State Chair or via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501 excluding candidates added at the SDSM.

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 on June 18<sup>th</sup>, 2016 at the state delegate selection meeting, at a time 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. The state delegate selection meeting will be held on Saturday, June 18th, 2016 at 1:00 PM in Bismarck, ND. The delegates to this meeting shall be the elected delegates from the Legislative District caucuses. At this meeting all PLEO delegates will be elected. Approved candidates for the PLEO positions will be elected starting with the election of the first PLEO position. The candidate receiving the highest number of votes will be elected to fill the PLEO slot. This will be done with a signed ballot. (Rule 2.F.) This process will continue to repeat until all of the positions are filled in a method that ensures equal division requirements are met. (Rule 9.C.)

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 North Dakota is allotted 4 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 positions may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by June 10<sup>th</sup>, 2016 at 5:00 PM CT. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by contacting the party by phone at (701) 255-0460 or by emailing [people@demnpl.com](mailto:people@demnpl.com) (Rules 12.B. & 14.G.; Regs. 4.21. & 4.27.)

b. A delegate may modify his or her singular presidential preference by submitting an updated pledge of support prior to the filing deadline.

### 3. Presidential Candidate Right of Review

a. The State Democratic Chair shall convey via email to the presidential candidate, or that candidate's authorized representative(s), not later than June 13<sup>th</sup>, 2016 at 5:00 PM CT, 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, by June 16<sup>th</sup>, 2016 at 5:00 PM CT, via email sent to people@demnpl.com a list of all such candidates he or she has approved, provided that, at a minimum, two names 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 June 16<sup>th</sup>, 2016 at 5:00pm.

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 division of preferences among district-level delegates at the time of district-level selection. (Rule 10.C.)

b. Preferences, which have not attained a 15% threshold on a statewide 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 state delegate selection meeting on Saturday, June 18<sup>th</sup> 2016 in Bismarck, ND. Selection of at-large delegates will begin at 3:00 PM, which is after all pledged Party Leader and Elected Official delegates have been selected. (Rule 8.D. & Call, III.)

b. These delegates and alternates will be elected by a majority vote of the district-level delegates in attendance at the June 18<sup>th</sup>, 2016 state delegate selection convention. (Rules 10.B. & 8.E.)

c. This plan allows for the selection of PLEO and at-large delegates and alternates to take place at the same meeting as the selection of the district-level delegates. In order to provide that affirmative action and fair reflection guidelines are met, the Democratic Chair makes the certifications required by Rule 8.D., and the presidential candidates have sufficient time to review the respective lists of their delegate and alternate candidates the starting time of the selection of at-large delegates may be adjusted to allow time to complete these tasks. (Rule 8.E & Reg 4.12)

### d. 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-NPL Party's ongoing efforts to include groups historically under-represented in the Democratic-NPL 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, gender identity 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.)

e. Approved candidates for the at-large delegate positions will be elected. Starting with the election of the first at-large delegate position the candidate receiving the highest number of votes will be elected to fill the delegate slot. This will be done with a signed ballot. This process will continue to repeat until all of the district level delegate and alternate positions are filled, in a method that ensures equal division requirements are met.

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 (i.e. congressional district) 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.)

(3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies or is no longer eligible to serve, he or she shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom he or she is pledged.

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 (i.e. congressional district) within the state as the delegate.

c. The alternate who receives the highest number of votes becomes the delegate.(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 North Dakota'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 72 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 72 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 (i.e. congressional district) 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 2016 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. North Dakota has been allocated 1 member(s) on each of the three standing committees for the 2016 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 2016 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 North Dakota's National Convention delegates, at a meeting to be held on June 18th, 2016. (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 North Dakota 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 North Dakota. 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 June 18<sup>th</sup> 2016 at 5:00 PM CT via email at [people@demnpl.com](mailto:people@demnpl.com) or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501, 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 from among names 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 North Dakota'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 but not later than 48 hours before the respective Standing Committee meets. (Call, VII.B.4.)

## **Section V**

### **The Delegation**

#### ***A. Allocation***

North Dakota will select one (1) person to serve as Delegation Chair and 2 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 June 18th, 2016. (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. 2 individuals will be selected to serve as North Dakota'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 June 18th, 2016 (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 North Dakota'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 North Dakota Democratic-NPL 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-NPL 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-NPL Party in North Dakota should be open to all members of the Democratic-NPL Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, 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-NPL Party in North Dakota should be required or used which has the effect of requiring prospective or current members of the Democratic-NPL 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-NPL Party in North Dakota 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-NPL Party in North Dakota, on all levels, should support the broadest possible registration without discrimination based on “status.” (Rule 4.B.(4))
5. The Democratic-NPL Party in North Dakota 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-NPL 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-NPL 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-NPL Party organization. (Rule 4.B.(5))
6. The Democratic-NPL Party in North Dakota 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-NPL 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-NPL 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-NPL Party affairs is prohibited. (Rule 5.B.)

C. North Dakota’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-NPL Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and Bylaws of the Democratic-NPL Party of the United States, and who will participate in the Convention in good faith. (Rule 12.H. & Reg. 4.24.)

H. 40% 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. No vote by proxy will be allowed. (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-NPL 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 2016 Democratic National Convention, North Dakota 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 2016 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-NPL 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-NPL 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 North Dakota. (Rule 5.A.)

b. Discrimination on the basis of “status” in the conduct of Democratic-NPL Party affairs is prohibited. (Rule 5.B.)

c. All public meetings at all levels of the Democratic-NPL Party in North Dakota should be open to all members of the Democratic-NPL Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status or physical disability (hereinafter collectively referred to as “status”). (Rule 4.B.(1))

d. Consistent with the Democratic-NPL Party’s commitment to including groups historically under-represented in the Democratic-NPL Party’s affairs, by virtue of race/ethnicity, age, sexual orientation, gender identity or disability, North Dakota 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 2016. (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 North Dakota Democratic-NPL Party has adopted and will implement programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the State Party has established goals and timetables for LGBT Americans, people with disabilities and youth (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.

(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.)

(3) For the delegate selection process, "Youth" is defined as any participant 36 years old and younger.

(4) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.

## 2. Organizational Structure

a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on March 2<sup>nd</sup>, 2015 (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 no later than September 15<sup>th</sup>, 2015 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 the congressional district beginning in September 2015. 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-NPL Party's constituencies and making that information about the delegate selection process 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; 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), and the Affirmative Action Plan 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 January 1<sup>st</sup> 2016 or immediately following legislative redistricting whichever is earlier. (Rule 1.H.)

5. The State Party shall take all feasible steps to encourage persons to vote as Democrats. (Rule 2.C.)

### ***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 on 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 and television 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-NPL Party's constituencies.

a. Information about the delegate selection process will be provided to minority newspapers and radio stations, ethnic press, Native America press, radio stations and publications, and women's organizations, student newspapers, LGBT 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 delegate selection process shall be effectively publicized, multilingual where necessary, to encourage the participation of minority groups. (Rule 6.D.)

4. Not later than March 14<sup>th</sup>, 2016 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 2016 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. These constituency percentages shall be established as goals for representation in the state's convention delegation. The State Party has used the most recent census data to estimate these populations as a percentage of the electorate. (Rule 6.A.)
2. The State Party, throughout its demographic study, employed the following methodology:
  - a. The State Party's demographic compositions of Native Americans (5.5%), African Americans (1.8%), Hispanics (2.0%), and Asian Americans and Pacific Islanders (1.0%) in North Dakota are taken directly from 2013 census data estimates.
  - b. **Due to the lack of census data concerning LGBT population, the demographic composition of the LGBT population in North Dakota is not based on any known survey or legitimate estimate. The Williams Institute at the UCLA School of Law, in an April of 2011 report estimated that the national LGBT population is 3.8%. The State Party forwarded the Williams Institute's study to the North Dakota Data Center and received feedback indicating that it would be reasonable to use a number anywhere between 1.7% and 5.6%. The North Dakota Data Center noted two factors to consider: (a) that urban areas tend to have a higher density of LGBT persons than do rural areas, and (b) that LGBT status is likely under-reported in surveys. The State Party chose to use 2.5% because it is (a) less than the national average of 3.8% (factoring in the rural/urban consideration) and (b) more than 1.7% (factoring in the under-reporting consideration). The State**



**Party notes, too, that the number of LGBT delegates would be “1” for any percentage between 2.3% and 6.8%.**

- c. The Youth demographic composition is based 2013 Census estimate of North Dakotans ages 15-34. There are 222,339 of the states 723,393 estimate population in that age group or 30.7%.
- d. The Disabilities demographic composition is realized, taking into consideration that there are numerous definitions of “disability”. Disability population study numbers for North Dakota range from just a couple percent all the way up to 14%, depending on the definition. Due to the wide-ranging disabilities population estimates in North Dakota, the State Party’s estimate equals 5.0%.

	Native American	African American	Hispanic	AAPI	LGBT	People With Disabilities	Youth
%	5.4	1.2	2.0	1.0	2.5	5.0	30.7
#	1	1	1	1	1	1	7

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 North Dakota Democratic-NPL 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 by March 17<sup>th</sup>, 2016 which indicates the specific steps he or she will take to encourage full participation in North Dakota’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.)

## **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 2016 Democratic National Convention.” (Call, Appendix A.)
2. Under Rule 20.B. of the 2016 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 2016 Democratic National Convention. (Call, Appendix A. & Reg., 3.1.)
4. Challenges to the credentials of delegates and alternates to the 2016 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 2016 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 2016 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 2016 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 North Dakota Democratic-NPL 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. Selection of Delegates and Alternates*

North Dakota will use a proportional representation system based on the results of the caucus apportioning its delegates to the 2016 Democratic National Convention.

The “first determining step” of North Dakota’s delegate selection process will occur on June 7, 2016, with a caucus.

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

Type	Delegates	Alternates	Filing Requirements	Date of Selection	Selecting Body
District Level	12	2	<p>a. A district-level delegate and alternate candidate may run for election only within the district in which he or she resides. (Rule 12.H.)</p> <p>b. An individual can qualify as a candidate for district-level delegate or alternate to the 2016 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 by June 10<sup>th</sup>, 2016 at 5:00 PM CT. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by</p>	June 18 <sup>th</sup> , 2016	State Delegate Selection Meeting

			<p>contacting the party by phone at (701) 255-0460 or by emailing <a href="mailto:people@demnpl.com">people@demnpl.com</a>. (Rules 12.B. &amp; 14.F.)</p> <p>c. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions. (Rule 12.C.)</p>		
Unpledged Party Leader and Elected Official Delegates*	5	N/A	N/A	N/A	Automatic by virtue of respective public or Party office as provided in Rule 8.A of the 2016 Delegate Selection Rules
Pledged Party Leaders and Elected Officials (PLEOs)	2	0	<p>a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide 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) &amp; Reg. 4.15.)</p> <p>b. An individual can qualify as a candidate for a position as a pledged PLEO delegate filing a statement of candidacy and signed pledge of support with the State Party no later than June 10<sup>th</sup>, 2016 at 5:00 PM <b>CT</b> in person to the State Chair or via email at <a href="mailto:people@demnpl.com">people@demnpl.com</a></p>	June 18 <sup>th</sup> , 2016	State Delegate Selection Meeting

			or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by contacting the party by phone at (701) 255-0460 or by emailing people@demnpl.com (Rules 9.B.(3), & 14.G., Reg. 4.16.)		
At-Large	4	0	Persons desiring to seek at-large delegate 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 by June 10 <sup>th</sup> , 2016 at 5:00 PM CT. Statement of candidacy and pledge of support forms are to be sent to the state party headquarters, 1902 East Divide Avenue, Bismarck, ND 58501. Sample statement of candidacy and pledge of support forms can be obtained by contacting the party by phone at (701) 255-0460 or by emailing people@demnpl.com (Rules 12.B. & 14.G.; Regs. 4.21. & 4.27.)	June 18 <sup>th</sup> , 2016	These delegates and alternates will be elected by a majority vote of the district-level delegates in attendance at the June 18 <sup>th</sup> , 2016 state delegate selection convention. (Rules 10.B. & 8.E.)
Total	23	2			

\* 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 2016 Delegate Selection Rules. The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

***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:

Members per Committee	Total Members	Presidential Candidate Right of Review	Selection Date
1	3	Each presidential candidate, or that candidate’s authorized representative(s), must submit to the State Democratic Chair, by June 18 <sup>th</sup> , 2016, after the election of the at-large delegates, via email at <a href="mailto:people@demnpl.com">people@demnpl.com</a> or by mailing them to the state party at 1902 E Divide Ave, Bismarck, ND 58501, 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.)	June 18 <sup>th</sup> , 2016

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

The Delegation Chair will be selected by the National Convention Delegates on June 18th, 2016.

2 Convention Pages will be selected by the State Democratic Chair on June 18th, 2016

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

A presidential candidate is eligible to participate in the North Dakota’s first-tier caucuses, by submitting their name to the State Democratic-NPL Chair via email at [people@demnpl.com](mailto:people@demnpl.com) by May 2nd, 2016 at 5:00 PM CT.

Each presidential candidate shall certify in writing to the State Democratic Chair via email at [people@demnpl.com](mailto:people@demnpl.com), the name(s) of his or her authorized representative(s) by May 2nd, 2016 at 5:00 PM CT.

### ***E. Timetable***

Date	Activity
March 2 <sup>nd</sup> , 2015	Deadline for State Party Affirmative Action Committee to be appointed by the State Democratic Chair.
March 16 <sup>th</sup> , 2015	Delegate Selection Affirmative Action Committee members must be submitted to the DNC Rules and Bylaws Committee including names, contact information and demographic data.
April 25 <sup>th</sup> , 2015	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee.
April 25 <sup>th</sup> , 2015	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee.
May 4 <sup>th</sup> , 2015	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
September 15 <sup>th</sup> -16 <sup>th</sup> , 2015	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.

March 17 <sup>th</sup> , 2016	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.)
May 2 <sup>nd</sup> , 2016	Deadline for Presidential Candidates to submit their name to the Party Chair to be eligible for the caucus. Deadline for presidential candidates to certify the name(s) of their authorized representative(s) to the State Party.
June 7 <sup>th</sup> , 2016	North Dakota Presidential Caucus
June 10 <sup>th</sup> , 2016	Pledged party leader and elected official (PLEO) delegate, at-large delegate, district-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with State Party.
June 13 <sup>th</sup> , 2016	State Party provides list of pledged party leader and elected official (PLEO) delegates, at-large delegates, district-level delegates and alternate candidates to the respective Presidential candidates.
June 16 <sup>th</sup> , 2016	Presidential candidates provide list of approved pledged party leader and elected official (PLEO) delegates, at-large delegates, district-level delegates and alternate candidates to State Party.
June 18 <sup>th</sup> , 2016	State Delegate Selection Meeting held. Pledged party leader and elected official (PLEO) delegates, at-large delegates, district-level delegates and alternates elected. After all delegates are elected, presidential candidates submit lists of approved Standing Committee members to the State Party.
June 18 <sup>th</sup> , 2016	National Convention delegation meeting. Delegates select National Convention

	Standing Committee Members and Delegation Chair. State Chair names convention pages.
June 25 <sup>th</sup> , 2016	State Party Chair certifies all information to the Secretary of the DNC.
July 25 <sup>th</sup> – 28 <sup>th</sup> , 2016	Democratic National Convention

## **Exhibit 1 – Affirmative Action Committee Members**

### **Rep. Josh Boschee - Chair – LGBT and Youth**

joshua.boschee@yahoo.com  
517 1<sup>st</sup> St N, Fargo, ND 58102  
Fargo, ND 58102  
701-367-3513

### **Kristen Benson – Member – LGBT and Female**

kristen.e.benson@gmail.com  
1213 7<sup>th</sup> St N  
Fargo ND 58102  
540-230-4006

### **Zach Packineau - Member – LGBT and Native American**

zach.packineau@gmail.com  
517 1<sup>st</sup> St N, Fargo, ND 58102  
Fargo, ND 58102  
701-426-3607

## **Exhibit 2 – Media**

### ***Daily Newspapers***

Associated Press – Bismarck Bureau  
W: 701-223-8450  
F: 701-224-0158  
Contact: James MacPherson  
E: jmacpherson@ap.org

Associated Press – Fargo Bureau  
W: 701-235-1908  
F: 701-235-3647  
Contact: Dave Kolpack  
E: dkolpack@ap.org

Bismarck Tribune  
W: 701-250-8247  
F: 701-223-2063  
Contact: Nick Smith  
E: nick.smith@bismarcktribune.com

Captiol Bureau – Fargo Forum  
W: 701-255-5607  
Contact: Mike Nowatzki  
E: mnowatzki@forumcomm.com

The Fargo Forum  
W: 701-241-5505  
F: 701-241-5487  
Contact: Patrick Springer  
E: pspringer@forumcomm.com

The Grand Forks Herald  
W: 701-780-1244  
F: 701-7801-1123  
Contact: Tom Dennis  
E: tdennis@gfherald.com

The Minot Daily News  
W: 701-857-1939  
F: 701-857-1961  
Contact: David Rupkalvis  
E: drupkalvis@minotdailynews.com

The Devils Lake Journal  
W: 701-662-2127  
F: 701-662-3115  
Contact: Louise Oleson  
E: news@devilslakejournal.com

The Jamestown Sun  
W: 701-252-3120  
F: 701-251-2873  
Contact: Kathy Steiner  
E: kathys@jamestownsun.com

The Dickinson Press  
W: 701-456-1205  
F: 701-225-4205  
Contact: Doug Monke  
E: dmonke@thedickinsonpress.com

Valley City Times-Record  
W: 701-845-0463  
F: 701-845-0175  
Contact: Paul Riemerman  
E: treditor@daktel.com

Wahpeton Daily News  
W: 701-642-8585  
F: 701-642-1501  
Contact: Kathleen Leinen

E: editor@wahpetondailynews.com

The Williston Herald  
W: 701-572-2165  
F: 701-572-9563  
Contact: Jerry Burnes  
E: news@willistonherald.com

### ***TV Stations***

KFYR TV – NBC Bismarck  
W: 701-255-8134  
F: 701-255-8181  
Contact: Jessica Roose  
E: jroose@kfyrtv.com

KXMB TV – CBS Bismarck  
W: 701-223-9197  
F: 701-223-1985  
Contact: Mike Chaussee  
E: mchaussee@kxnet.com

WDAY TV – ABC Fargo  
W: 701-241-5306  
F: 701-241-5358  
Contact: Jeff Nelson  
E: jnelson@wday.com

KVLY/KXJB TV – NBC/CBS Fargo  
W: 701-237-5211  
F: 701-237-5396  
Contact: Al Aamodt  
E: ala@valleynewslive.co

KXMB TV – Grand Forks Bureau  
W: 701-772-3481  
F: 701-772-4070  
Contact: Neil Carlson  
E: neilc@valleynewslive.com

KVRR TV – FOX Fargo  
W: 701-277-1515  
F: 701-277-9656  
Contact: Jim Shaw  
E: jshaw@kvrr.com

WDAZ TV - ABC Grand Forks/Devils Lake  
W: 701-775-2511  
F: 701-746-4507  
Contact: Jeff Nelson  
E: jnelson@wday.com

KXMC TV – CBS Minot  
W: 701-852-2104  
F: 701-838-1050  
Contact: Jim Olson  
E: jolson@kxmcnews.com

KMOT TV – NBC Minot  
W: 701-852-4101  
F: 701-838-6781  
Contact: Rene Thibault  
E: rthibault@kmot.com

KUMV TV – NBC Williston  
W: 701-572-4676  
F: 701-572-0118  
Contact: Mary Gagliardi  
E: mgagliardi@kumv.com

KXMD TV – CBS Williston  
W: 701-572-2345  
F: 701-572-0658  
Contact: Jim Olson  
E: jolson@kxmcnews.com

KQCD TV 5 – NBC Dickinson  
W: 701-483-7777 ext. 12  
F: 701-483-8231  
Contact: J.R. Havens  
E: jhavens@kfyrvtv.com

### ***Radio Stations***

Red River Farm Network – Grand Forks  
W: 701-795-1315  
F: 701-795-8660  
Contact: Don Wick  
E: don@rrfn.com



Dakota News Network - Fargo  
W: 701-237-5000  
F: 701-280-0861  
Contact: Rusty Halvorson  
E: americanagnetwork@gmail.com

KFGO - Fargo  
W: 701-237-5346  
F: 701-451-0031  
Contact: Paul Jurgens/Don Haney/Bonnie Amistadi  
E: news@kfgo.co

WDAY (Fargo)  
W: 701-241-5230  
F: 701-241-5383  
Contact: Erick Johnson  
E: ejohnson@wday.com

Prairie Public Radio – Bismarck  
W: 701-224-1700 x 1  
C: 701-471-9516  
F: 701-224-0555  
Contact: Dave Thompson  
E: dthompson@prairiepublic.org

Prairie Public Radio - Fargo  
W: 701-239-7638  
Contact: Danielle Webster  
E: dwebster@prairiepublic.org

Prairie Public Radio - Fargo  
W: 701-239-7616  
F: 701-239-7652  
Contact: Todd McDonald  
E: tmcdonald@prairiepublic.or

KFYR - Bismarck  
W: 701-333-0366  
F: 701/255-8223  
Contact: Todd Mitchell  
E; toddmitchell@clearchannel.com

KNOX (Grand Forks)  
W: 701-746-6397  
F: 701-772-0540  
Contact: Doug Barret

E: doug@knoxradio.com

KZZY - Devils Lake

W: 701-662-7563

F: 701-662-7564

Contact: Curt McKay

E: kzzynews@gondtc.com

NO-KQDJ - Jamestown

W: 701/252-1400

Contact: lynn@newsdakota.com

E: lynn@newsdakota.com

KSJB - Jamestown

W: 701-252-3570, X315

F: 701-252-1277

Contact: Lynn Hopewell

E: news@ksjbam.com

KCJB - Minot

W: 701-839-5252

F: 701-852-1953

Contact: Rick Stensby

E: kcjbnews@clearchannel.com

KWGO - Minot

W: 701-852-7449

Contact: Jeff Bliss/Jean Schempp

E: pbispots@srt.com

KLTC - Dickinson

W: 701-227-1876

F: 701/227-1959

Contact: Paul Quinn

E: paulquinn@clearchannel.com

KOVC - Valley City

W: 701-845-1490

F: 701-845-1245

Contact: Tim Ost

E: tost@newsdakota.com

KBMW - Wahpeton

W: 701-642-8747

F: 701-642-9501

Contact: Bill Dablow

E: bill.dablow@kbmwam.com

KEYZ - Williston

W: 701-572-5371

F: 701-572-7511

Contact: Chris Simon

KXPO - Grafton

W: 701-352-0431

Contact: Andrea Johnston

E: kxpoj@polarcomm.com

Minnesota Public Radio

W: 218-299-3666

F: 218-299-3418

Contact: Dan Gunderson