

THE MARYLAND DELEGATE SELECTION PLAN
FOR THE 2004 DEMOCRATIC NATIONAL CONVENTION

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SECTION 1

INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

A. INTRODUCTION

1. Maryland has a total of 98 delegates and 11 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 2004 Democratic National Convention*, the *Call for the 2004 Democratic National Convention*, the *Regulations of the Rules and Bylaws Committee for the 2004 Democratic National Convention*, the rules of the Maryland Democratic Party, the Maryland election 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 2004 Democratic National Convention.
2. The first “determining step” of Maryland’s delegate selection process will occur on Tuesday, March 2, 2004 with a Presidential Preference Primary.
3. Voter Participation in Process
 - a. Participation in Maryland’s delegate selection process is open to all voters who wish to participate as Democrats. *(Rules 2.A. & 2.C. & Reg. 4.3.)*
 - (1) Voter registration applications may be submitted to local boards of elections or the State Board of Elections (“SBE”) year round. The deadline to apply to register to vote in the Primary Election is February 10, 2004.
 - (2) Voters may change their party affiliation by submitting new voter registration applications or written requests to their local boards of elections. The deadline to change party affiliation for the Primary Election is December 8, 2003.
 - 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.)*

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 SBE. *(Rules 10.B., 13.A., 13.B., 13.D., 13.E., & 13.H.)*
 - a. By direction of the Secretary of State who shall place the name of the candidates for the Democratic Party nomination on the ballot on the first regular business day in the year in which the president is elected. 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 the 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; or *(Section 8-502c (i), Article 33, Annotated Code of Maryland)*
 - b. By making the payment required (\$290.00) and by filing with the SBE a petition in the form prescribed by SBE which shall contain the signatures of not less than 400 of the registered voters within each congressional district. For candidates for the nomination of the Democratic Party, the payment filing must be made not later than 9:00 p.m. on the day which is one week later than the first regular business day of the year in which the President of the United States is elected. *(Section 8-502c (ii), Article 33, Annotated Code of Maryland)*

Under Maryland law, the Secretary of State shall make the determination on January 2, 2004 of which presidential candidates to place on the ballot. Presidential candidates who wish to file and affidavit of an intention not to be a candidate must file such affidavit on January 2, 2004 with the Secretary of State. The address of the Secretary of State is the Honorable R. Karl Aumann, 16 Francis Street, Jeffrey Building, Annapolis, MD 21401.

Presidential candidates who file by petition by the SBE shall file between January 2, 2004 at 9:00 a.m. and January 9, 2004 at 9:00 p.m. The location of the SBE is 151 West Street, Suite 200, Annapolis, MD 21401. The mailing address of the SBE is P.O. Box 6486, Annapolis, MD 21404. The state party has requested that filing fees for presidential candidates be waived by SBE. The state party will reimburse the filing fee to any bona fide Democratic presidential candidate who files with the state party, no later than January 14, 2004, a written request for such reimbursement accompanied by proof that such candidate a) has become eligible to receive payments under the Presidential Primary Machine Payment Account Act (26 USC SS9031 et. Seq.) and b) has qualified to appear on the ballot in at least fifteen (15) other states.

2. Each presidential candidate shall certify in writing to the State Chair, the name(s) of his or her authorized representative(s) by January 9, 2004. *(RULE 11.D.(1))*

3. 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 45 district-level delegates and 7 district-level alternates. *(Rule 7.C., Call, I.B. & I.I.)*
2. Election of District-Level Delegates and Alternates
 - a. District-level delegates and alternates will be elected by a two-part primary in which delegate positions are allocated based on a presidential preference primary and filled through the election of delegates directly on the ballot, as set forth herein.
 - b. District-level delegates and alternates will be elected in the Primary Election on March 2, 2004.
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 one-third weight to each of the following formulas: *(Rule 7.A., Regs. 4.11., 4.12. & Appendix A)*
 - (1) Equal weight to total population and to the average vote for the Democratic candidates in the 1996 and 2000 presidential elections.
 - (2) Equal weight to the vote for the Democratic candidates in the 2000 presidential and the 2002 gubernatorial elections.
 - (3) Equal weight to the average of the vote for the Democratic candidates in the 1996 and 2000 presidential elections and to Democratic Party registration or enrollment as of January 1, 2004.
 - b. Maryland’s total number of district-level delegates and alternates will be equally divided between men and women. In the instance of an odd number of district-level delegates and/or alternates, the overall variance between men and women will not exceed one. *(Rule 6.C.(1) & Reg. 4.9.)*
 - c. The district-level delegates and alternates are apportioned to districts as indicated in the following chart:

	Delegates	Alternates
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District	Males	Females	Total	Males	Females	Total
1	2	3	5	1	0	1
2	3	2	5	0	1	1
3	3	3	6	1	0	1
4	3	3	6	0	1	1
5	3	3	6	1	0	1
6	2	2	4	0	0	0
7	3	3	6	0	1	1
8	3	4	7	1	0	1
Total	22	23	45	4	3	7

4. District-Level Delegate and Alternate Filing Requirements

- a. A district-level delegate candidate may run for election only within the district in which he or she is registered to vote. *(Rule 11.H.)*
- b. An individual can qualify as a candidate for district-level delegate to the 2004 Democratic National Convention by filing a certificate 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 SBE between 9:00 a.m. on January 2, 2004 and 9:00 p.m. on January 9, 2004. A pledge or declaration may be changed in person by 9:00 p.m. on January 9, 2004. *(Rules 11.B. & 13.F.)*
- c. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions. *(Rule 11.C.)*

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

- a. The State Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than January 10, 2004 at 5:00 p.m., a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. *(Rules 11.D. & 11.F.)*
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Chair and SBE by January 12, 2004 at 5:00 p.m., a list of all such candidates he or she has approved. *(Rule 11.E.(1), Reg. 4.24.)*
 - (1) The presidential candidate, or that candidate's authorized representative(s), may approve a number of district-level delegate candidates equal to or greater than the number of delegates and alternates allocated to each of Maryland's eight (8) congressional districts. 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 Chair and SBE no later than 5:00 p.m. on January 12, 2004.

- (2) In the event that a presidential candidate, or that candidate's authorized representative(s), elects to approve district-level candidates, he or she must approve an equal number of male or female candidates except where an unequal number of delegates and or alternates have been allocated to a particular congressional district. In such cases, the presidential candidate, or that candidate's authorized representative(s), must approve at least the number of male and female candidates equal to the number of male and female delegate and alternate positions, respectfully, allocated to that congressional district pursuant to this plan.
- (3) The presidential candidates, or the candidates' authorized representative(s), are required to submit to the State Party Chair demographic information with respect to candidates for delegate and alternate pledged to them. Statements by presidential candidates demonstrating their efforts to achieve equal division and affirmative action with respect to delegate and alternate candidates must be received by the State Party Chair no later than 5:00 p.m. on January 12, 2004.
- (4) Those persons who filed for delegate and alternate positions pledged to a presidential candidate, but who were not approved by that candidate, may not be elected in the Primary Election as a delegate or alternate pledged to that candidate, or as an uncommitted delegate or alternate. *(Rule 11.E. & Reg. 4.22.)*

6. Fair Reflection of Presidential Preference

- a. 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. *(Rule 12.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 12.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.
 - (1) Selection of these delegates and/or alternates will occur at a meeting of the State Central Committee on May 19, 2004 after the selection of unpledged add-on delegates and PLEO delegates.
 - (2) The selection of these delegate and alternate positions will uphold the equal division and affirmative action provisions outlined in this plan.

- (3) An individual can qualify as a candidate for any such delegate or alternate position by filing a declaration of candidacy with the Maryland Democratic Party from April 19 to April 30, 2004 during regular business hours. Every declaration of candidacy must be accompanied by a pledge of support for the Democratic presidential candidate or declaration of uncommitted status, for which the positions are vacant.
- (4) The State Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), no later than May 7, 2004, a list of all persons who have filed pledged to that presidential candidate. Each presidential candidate, or his authorized representative(s), must then file with the State Chair by 5:00 p.m. on May 12, 2004 a list of all such candidates he or she has approved, provided that approval is given to at least three times the number of candidates for delegate and alternate slots to be selected. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate, or the authorized representative(s), unless signified otherwise in writing to the State Chair no later than May 12, 2004.

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. 4.9)*
 - (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 candidates 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 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 three (3) days after their election. *(Rule 7.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, which includes the State Party Chair, State Party First Vice Chair, State Party representatives to the Democratic National Committee and At-Large members of the Democratic National Committee; *(Rule 8.A.(1), Call, I.E., I, J, & Reg. 4.14.)*
 - (2) All of Maryland's Democratic Members of the U.S. Senate and the U.S. House of Representatives; *(Rule 8.A.(3), Call I.G. & J.)*
 - (3) The Democratic Governor (if applicable); and *(Rule 8.A.(4), Call I.G. & J.)*
 - (4) Distinguished Party Leader delegates who legally reside in the state.
 - b. The certification process for the Unpledged Party Leader and Elected Official delegates is as follows:
 - (1) Not later than March 1, 2004, the Secretary of the Democratic National Committee shall officially confirm to the State Chair the names of the un-pledged delegates who legally reside in Maryland. *(Rule 8.A.)*
 - (2) Official confirmation by the Secretary shall constitute verification of the unpledged delegates from the categories indicated above. *(Call, IV.B.1.)*
2. Unpledged Add-On Delegates
- a. Maryland will select 2 unpledged add-on delegates. *(Rule 8.B., Call, I.H. & Reg. 5.1.)*
 - b. The procedures to be used in selecting the unpledged add-on delegates will be as follows:
 - (1) Selection of the unpledged add-on delegates will occur at the meeting of the State Democratic Central Committee on May 19, 2004 at a time and location to be announced, which is after the election of district delegates and alternates and prior to the selection of the pledged Party Leader and Elected Official delegates. *(Rule 8.B.)* Unpledged add-on delegates will be selected by the Maryland Democratic State Central Committee, provided that:
 - (a) Voting strength on the Democratic State Central Committee is apportioned based 25% on population, 25% on the vote given to the Democratic candidate for president in each of the two most recent elections and 25% to the vote for Governor in the most recent gubernatorial election.
 - (b) Members of the Maryland Democratic State Central Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection;
 - (c) Such unpledged add-on delegates are elected by the Democratic State Central Committee at a public meeting subsequent to the election of district-level delegates; and
 - (d) Members of the Democratic State Central Committee have been elected no earlier than January 1, 2002. (Members of the Democratic State Central

Committee were elected in September 2002 or later in accordance with Section 4-202, Article 33 of the Annotated Code of Maryland and Articles V & VII of the By-Laws of the Maryland Democratic Party.)

- (2) These delegates will be selected by the State Democratic Central Committee, which is the same body used to select the pledged Party Leader and Elected Official and/or At-Large delegates and alternates. *(Rule 8.B.(1))*
 - (3) The equal division and affirmative action provisions of Rule 9.A. apply to the selection of these unpledged add-on delegates. *(Rule 8.B.(2))*
 - (4) Individuals are selected for these positions by vote of the State Democratic Central Committee from a list presented by the State Chair. *(Reg. 4.15.)*
 - (5) The list from which the selecting body chooses the unpledged add-on delegates shall contain at least two names for every unpledged add-on position to be filled. *(Rule 8.B.(3))*
 - (6) Unpledged add-on delegate candidates may be selected whether or not they previously filed a statement of candidacy for a delegate position or submitted a pledge of support for a presidential candidate. *(Rule 8.B.(5) & Reg. 4.15.)*
- c. Unpledged add-on delegates, selected pursuant to Rule 8.B., shall be certified in writing by the State Chair to the Secretary of the Democratic National Committee within three (3) days after the selection. *(Call, IV.B.2.)*

C. PLEDGED PARTY LEADER AND ELECTED OFFICIAL (PLEO) DELEGATES

1. Maryland is allotted 9 pledged Party Leader and Elected Official (PLEO) delegates. *(Call, I.C. & D.)*
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 8.C.(1) & Reg. 4.16.)*
 - 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 at 188 Main Street, Annapolis, MD 21401 during regular business hours between April 19 and April 30, 2004. *(Rules 8.C.(3), & 13.G., Reg. 4.17.)*
 - c. The alternate PLEO filing deadline for candidates is May 19, 2004, within 30 minutes after the selection of district-level delegates. If persons eligible for PLEO positions have not made their presidential preference known as candidates for district-level or at-large delegate positions, their preference will be ascertained by filing certificate of candidacy and pledge of support forms within the 30 minute period on May 19, 2004. *(Rule 8.C.(3) & Reg. 4.17.)*
4. Presidential Candidate Right of Review
 - a. The State Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 p.m. on May 7, 2004, a list of all persons who have

filed for a PLEO delegate positions pledged to that presidential candidate. *(Rules 8.C.(3) & 11.D.)*

- b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Chair, by May 12, 2004, 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. *(Rule 11.E.(2) & Reg. 4.24.)*
- 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 Chair not later than May 12, 2004.

5. Selection of Pledged Party Leader and Elected Official (PLEO) Delegates

- a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. *(Rule 8.C.(2), 9.C., 12.E. & F.)*
- b. Selection of the pledged PLEO delegates will occur on May 19, 2004 at a time and location to be determined, which is after the election of district-level delegates and alternates and the unpledged add-on delegates, and prior to the selection of at-large delegates and alternates *(Rule 8.C.)*
- c. These delegates will be selected by the Democratic State Central Committee of Maryland, provided that:
 - (1) Voting strength on the Democratic State Central Committee is apportioned based 25% on population, 25% on the vote given to the Democratic candidate for president in each of the two most recent elections and 25% to the vote for Governor in the most recent gubernatorial election.
 - (2) Members of the Maryland Democratic State Central Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection;
 - (3) Such PLEO delegates are elected by the Democratic State Central Committee at a public meeting subsequent to the election of district-level delegates; and
 - (4) Members of the Democratic State Central Committee have been elected no earlier than January 1, 2002. (Members of the Democratic State Central Committee were elected in September 2002 or later in accordance with Section 4-202, Article 33 of the Annotated Code of Maryland and Articles V & VII of the By-Laws of the Maryland Democratic Party.) *(Rule 8.D.)*
- 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. 4.31.)*
- e. The State 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 three (3) days after their election. *(Rule 7.D. & Call, IV.A.)*

D. AT-LARGE DELEGATES AND ALTERNATES

1. The state of Maryland is allotted 15 at-large delegates and 11 at-large alternates. *(Rule 7.C., Call, I.B. & I.)*
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 by April 30, 2004. *(Rules 11.B. & 13.G., Regs. 4.22. & 4.28.)*
 - b. The statement of candidacy for at-large delegates and for at-large alternates will be the same. *(Rule 17.A.)* 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.
3. Presidential Candidate Right of Review
 - a. The State Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 5:00 p.m. on May 7, 2004, a list of all persons who have filed for at-large delegate or alternate pledged to that presidential candidate. *(Rule 11.D.)*
 - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Chair, 30 minutes after the selection of PLEO delegates on May 19, 2004, a list of all such candidates he or she has approved, provided, at a minimum, that two names remain for every national convention at-large delegate or alternate position to which the presidential candidate is entitled. *(Rule 11.E.(2) & Reg. 4.24.)*
 - c. Failure to respond will be deemed approval of all at-large delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Chair by the above mentioned deadline on May 19, 2004.
4. Fair Reflection of Presidential Preference
 - a. At-large delegate and alternate positions will be allocated among presidential preferences according to the statewide primary vote. *(Rule 9.C.)*
 - b. Preferences which have not attained a 15% threshold on a statewide basis shall not be entitled to any at-large delegates. *(Rule 12.E.)*
 - c. If not presidential preference reaches a 15% threshold, the threshold shall be the percentage of the statewide vote received by the front-runner, minus 10%. *(Rule 12.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 9.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 17.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 on May 19, 2004 at a time and location to be determined, which is after all unpledged delegates and pledged Party Leader and Elected Official delegates have been selected. *(Rule 7.D. & Call, III.)*

These delegates and alternates will be selected by the Democratic State Central Committee, provided that:

- (1) Voting strength on the Democratic State Central Committee is apportioned based 25% on population, 25% on the vote given to the Democratic candidate for president in each of the two most recent elections and 25% to the vote for Governor in the most recent gubernatorial election.
- (2) Members of the Maryland Democratic State Central Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection;
- (3) Such delegates and alternates are elected by the Democratic State Central Committee at a public meeting subsequent to the election of district-level delegates; and
- (4) Members of the Democratic State Central Committee have been elected no earlier than January 1, 2002. (Members of the Democratic State Central Committee were elected in September 2002 or later in accordance with Section 4-202, Article 33 of the Annotated Code of Maryland and Articles V & VII of the By-Laws of the Maryland Democratic Party.) *(Rule 8.D)*

b. 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/Pacific Americans 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), & Regs. 4.7. & 4.8.)*
- (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.)*
- (4) Delegates and alternates are to be considered separate groups for this purpose. *(Rules 6.A.(3), 9.A. & Regs. 4.8 & 4.20.)*

6. The State 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 three (3) days after their election. *(Rule 7.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 17.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 17.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. 4.33.)*
- b. Temporary Replacement of a Delegate: *(Rule 17.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 temporary replacement delegates, the delegation will be authorized to select the alternate. *(Rule 17.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 Chair. *(Rule 17.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 State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. *(Call, IV.C.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.C.1. & Reg. 4.32.)*
 - (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. 5.4.*)

- 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 17.F.*)
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 17.E. & Reg. 4.34.*)
 - 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.C.2.a.*)
 - b. Members of the Democratic National Committee and unpledged add-on delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2004 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.C.2.b.*)
 - c. Unpledged distinguished Party Leader delegates allocated to the state pursuant to Rule 8.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 3 member(s) on each of the three standing committees for the 2004 Democratic National Convention (Credentials, Platform and Rules), for a total of 9 members. *(Call, VII.A. & Appendix D.)*
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2004 Democratic National Convention. *(Call, VII.A.3.)*
3. These members will be selected in accordance with the procedures indicated below. *(Rule 1.G.)*

B. PERMANENT 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 20, 2004. *(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 12.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 Chair, by May 20, 2004, 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. 4.10.)*
- 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 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 3 to serve as Convention Pages. *(Call, IV.D., E.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 20, 2004. *(Call, IV.D.)*
 - 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 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.D.)*
- C. CONVENTION PAGES
1. Three individuals will be selected to serve as Maryland's Convention Pages by the State Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place on May 20, 2004. *(Call, IV.E.3. & Reg. 5.5.)*
 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. 5.5.A.)*
 3. The State 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.E.3. & Reg. 5.5.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 Astatus. *(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 11.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 11.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 11.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 11.H. & Reg. 4.23.)*
- 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 14)*

- I. An accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, may register a non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement), provided that no individual may hold more than three (3) proxies at one time. *(Rule 15 & Reg. 4.29.)*
- 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 16.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 16.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. & 10.B.)*
- M. In electing and certifying delegates and alternates to the 2004 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 2004 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 AND OUTREACH 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. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, by virtue of race/ethnicity, age, sexual orientation, or disability, 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 2004. *(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 affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women. *(Rule 6.A.)*
 - (1) The goal of the affirmative action 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))*

2. Organizational Structure

- a. An Affirmative Action Committee shall be appointed by the State Chair on March 1, 2003. *(Rule 6.F.)*
 - b. 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.
 - c. The Affirmative Action Committee shall be responsible for:
 - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Chair.
 - (2) Directing the implementation of all requirements of the Affirmative Action section of this Plan.
 - (3) Implementing a financial assistance program for delegates and alternates. *(Rule 6.G.)*
 - (4) 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/Pacific Americans and women. *(Rule 6.E.)*
 - d. 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 15, 2003, 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 2003. 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.)*
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 October 1, 2003. *(Rule 1.H.)*
4. 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.)*

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 newspaper. 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 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, Native American, Asian/Pacific American, 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 speciality 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 meetings shall be effectively publicized, bilingually where necessary, to encourage the participation of minority groups. *(Rules 5.C. & 6.D.)*
4. Not later September 15, 2003, 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 2004 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/Pacific Americans in the state’s Democratic electorate. These constituency percentages shall be established as goals for representation in the state’s convention delegation. *(Rule 6.A.)*

	African Americans	Hispanics	Native Americans	Asian/Pacific Americans
% in Democratic Electorate	28	4	n.a.	4
Numeric Goals For Delegation	30	4	n.a.	4

- 2. 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.
- 2. 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 Chair by January 12, 2004, 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))*
1. 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))*
2. 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. 4.10.)*

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 2004 Democratic National Convention* (Regs., Sec. 3.), and the *Rules of Procedure of the Credentials Committee of the 2004 Democratic National Convention*. *(Call, Appendix A.)*
2. Under Rule 19.B. of the *2004 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 19.B.)*
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 2004 Democratic National Convention. *(Call, Appendix A. & Reg., 3.1.)*
4. Challenges to the credentials of delegates and alternates to the 2004 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 2004 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 2004 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 2004 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 19.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. SELECTION OF DELEGATES AND ALTERNATES

Maryland will use a proportional representation system based on the results of the primary for apportioning its delegates to the 2004 Democratic National Convention.

The first determining step of Maryland's delegate selection process will occur on March 2, 2004, with a Presidential Preference Primary.

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

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates and Alternates	45	7	3/2/2004	Two-part presidential primary
				Delegate candidates file with the State Board of Elections from 1/2 to 1/9/2004
Unpledged Party Leader and Elected Official Delegates*	27	n.a.	n.a.	Automatic by virtue of respective public or Party office as provided in Rule 8.A. of the 2004 Delegate Selection Rules
Unpledged Add-on Delegates**	2	n.a.	n.a.	Selected by vote of the State Central Committee
				File with the State Party by 5/7/04
Pledged Party Leaders and Elected Officials (PLEOs)	9	***	5/19/04	Selected by vote of the State Central Committee
				File with State Party by 4/30/04
At-Large Delegates and Alternates	15	4	5/19/04	Selected by vote of the State Central Committee
				File with State Party by 4/30/04
TOTAL Delegates and Alternates	98	11		

* 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 8.A. of the *2004 Delegate Selection Rules*. The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

** Unpledged Add-on delegates refers to those delegates chosen according to Rule 8.B. of the *2004 Delegate Selection Rules*.

*** 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 Maryland’s National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
3	9	5/20/04	Selected by Maryland’s National Convention Delegates from list submitted by presidential candidates on 5/20/2004

C. SELECTION OF DELEGATION CHAIR AND CONVENTION PAGES

The Delegation Chair will be selected by the National Convention Delegates on May 20, 2004.

Three (3) Convention Pages will be named by the State Chair on May 20, 2004.

D. PRESIDENTIAL CANDIDATE FILING DEADLINE

The Secretary of State will place nationally recognized candidates on the ballot certified to the Maryland State Board of Elections (SBE) by the Secretary of State by January 2, 2004. Other file petition and fee with SBE by January 9, 2004. *(Rule 10.B.)*

Presidential candidates must certify the name of their authorized representative(s) to the State Chair by January 9, 2004.

E. TIMETABLE (REG. 2.2.B.)

Date	Activity
2003	
March 1	Delegate Selection Affirmative Action Committee members are appointed by the State Chair.
April 24	Delegate Selection Committee and members of the Affirmative Action Committee meet to draft plan for the State Central Committee’s approval.
May 7	Affirmative Action Committee meets to review draft of Delegate Selection Plan and draft the Affirmative Action Plan.
May 10	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Central Committee.
May 12	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period.
June 10	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Chair.
June 11	State Party Chair 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.
June 11	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
September 15	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.

Date	Activity
2003	
October 1	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
2004	
January 2	Maryland Secretary of State determines which presidential preferences to place on the primary ballot by 9:00 a.m.
January 2	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Board of Elections, in person, by mail, or from State Board's website at www.elections.state.md.us .
January 9	Deadline for filing petitions with the State Board for presidential candidates to be placed on the ballot (if not determined by the Secretary of State).
January 9	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
January 9	District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with State Board of Elections.
January 10	State Party provides list of district-level delegate and alternate candidates to the respective Presidential candidates.
January 12	Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party and the State Board of Elections.
January 14	Withdraw deadline for candidates for district-level delegates to the State Party and the State Board of Elections.
January 15	Deadline for submission of replacement candidates for withdrawn district level delegates to the State Party and the state Board of Elections.
January 19	Deadline for State Board of Elections to certify Primary Election candidates and content and distribute to Local Boards of Elections. (<i>Article 33, Section 9-207, Annotated Code of Maryland</i>)
February 10	Last day to register to vote in the Primary Election. Deadline for elderly or individuals with disabilities to apply for reassignment to an accessible polling place.
February 24	Deadline for receipt of absentee ballot applications by local boards for Primary Elections.
March 2	Presidential Preference Primary
March 3	Deadline for receipt of absentee ballots received by mail by local boards after Primary Election Day.
April 9	Reporting of official Primary Election results to Governor, State Board of Elections and Clerk of the Circuit Court by the Local Boards of Canvassers.
April 12	State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.
April 19	Beginning of filing period for pledged PLEO and at-large delegate and alternate candidates. Candidates may obtain statement of candidacy and pledge of support forms from the State Party.
April 30	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 7	State Party provides list of pledged PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.
May 7	Deadline for candidates for unpledged add-on positions to file a request with the State Party.
May 12	Presidential candidates provide approved list of pledged PLEO delegate candidates to State Party.

Date	Activity
2004	
May 19	State Central Committee convenes. Alternate PLEO filing deadline is 30 minutes after district-level delegate selection, if needed. After alternate PLEO filing deadline, State Party provides presidential candidates with PLEO list. Within 30 minutes, presidential candidates submit list of approved PLEO candidates to the State Party. Unpledged add-on delegates and 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 Central Committee selects at-large delegates and alternates.
May 20	Presidential candidates submit list of candidates for Standing Committee Members to State Party.
May 20	National Convention delegation meeting. Delegates select National Convention Standing Committee Members and delegation Chair. State Chair names convention pages.
May 21	State Party certifies remainder of elected delegates and alternates (unpledged add-on, PLEOs, and at-large), along with standing committee members, delegation chair, and convention pages.