

DEMOCRATIC RULES
on
PRESIDENTIAL PRIMARY DELEGATE SELECTION

Section 1 Compliance with National Party Rules and State Law

The Democratic State Central Committee of California shall be guided by and shall comply, insofar as compatible with state law, with the rules required by the Commission on Delegate Selection and Party Structure of the Democratic National Committee. At the primary election in 1976 and similarly in every fourth year, delegates and alternates to the National Convention shall be chosen by the direct vote of the people as prescribed in the State Elections Code 6300 et seq.

Section 2 Allocation of Delegates (Election Code Section 6304)

The Chairperson of the Democratic State Central Committee shall notify the Secretary of State on or before the first day of March immediately preceding the presidential primary as to the number of delegates and alternates to represent California in the next national convention of the Democratic Party.

The Chairperson shall also notify the Secretary of State at such time as to the number of delegates which each congressional district may elect at the presidential primary. The number of delegates which each congressional district may elect shall be based on a formula which apportions 75 per cent of the total delegation allocated to California by the Democratic National Committee (rounded to the nearest whole number) among the congressional districts in a manner which gives equal weight to the average of the vote in each district for Democratic candidates in the two immediately preceding presidential elections and to the Democratic Party registration in each district on January 1 of the presidential primary year. The number of delegates allocated to each congressional district shall be rounded off to the highest percentage. The remaining delegates and alternates shall be elected pursuant to section 7 of this article.

Section 3 Selection of Presidential Candidates to be Placed on the Primary Ballot (Election Code Sections 6310, 6311)

The Secretary of State shall, after consultation with the Chairperson of the Democratic State Central Committee, place upon the presidential preference portion of the presidential primary ballot the names of all candidates generally recognized in the news media throughout the United States or California as actively seeking the nomination of the Democratic Party for President of the United States. Candidates so chosen shall hereinafter be referred to as

selected candidates. Such selection shall be completed and announced to the news media on or before February 1 immediately preceding the presidential primary selection.

A selected candidate's name may be withdrawn from the presidential preference portion of the ballot by filing an affidavit with the Secretary of State which states that the candidate is, without qualification, not now a candidate for the office of President of the United States at the forthcoming presidential primary election.

Section 4 Steering Committees (Election Code Sections 6325, 6326, 6328)

Selected Candidates and Non-Selected Candidates and groups proposing uncommitted delegations (as provided for in Section 9), shall appoint a steering committee of five members and elect a chairperson from among its members. The chairperson of a steering committee, at least 85 days prior to the presidential primary, shall file with the Secretary of State a statement containing the names and addresses of the members of the committee.

Section 5 Formation of Delegate Slates (Election Code Sections 6375, 6376 6377, 6378, 6379)

- a. Each steering committee shall meet not later than 64 days before the presidential primary for the purpose of selecting those persons whose names shall appear as candidates for delegates on the delegate selection portion of the presidential primary ballot in each congressional district.
- b. The persons selected by each steering committee as candidates for delegates may be any persons whom the steering committee chooses.
- c. A steering committee shall not be required to select either any or the full number of candidates for delegates to which it is entitled in a particular congressional district for placement upon the delegate selection portion of the ballot.
- d. Each steering committee shall notify the Secretary of State of its candidates for delegates not later than 64 days before the presidential primary.
 - (1) Such notification shall be accompanied by an affidavit of the chairperson of the steering committee which shall state that the endorsement of all such delegates by the person preferred by the steering committee as a candidate for presidential nominee has been secured.
 - (2) Such notification shall further be accompanied by pledges of support to a candidate signed by each delegate selected by a steering committee. The pledge

shall state that the delegate shall support the candidate until released by the candidate or until the candidate fails to receive 15 percent of the vote on any ballot wherein the candidate's name is placed before the convention for nomination.

- e. A steering committee shall hold congressional district caucuses, open to all Democrats in that congressional district, for the purpose of gathering recommendations to that steering committee's list of delegate candidates. Such caucuses shall conform to the Affirmative Action plan adopted by this Committee, as approved by the Compliance Review Commission of the National Commission on Delegate Selection and Party Structure.

Section 6 Presidential Preference Poll and Election of Delegates

The presidential preference poll and the election of delegates shall be conducted by the State of California in the manner prescribed in the State Election Code 6300 et seq.

Section 7 Post Primary Selection of Delegates and Alternates and Apportionment of Delegation (Election Code Sections 6380.4 - 6380.8, 6381)

- a. On the first Saturday following the presidential primary election, the delegates elected shall meet in convention at the time and place specified by the chairperson of the Democratic State Central Committee in consultation with the chairperson of each steering committee, to select the remaining delegates and all of the alternates. The chairperson of the Democratic State Central Committee shall serve as chairperson of the convention until the selection process is completed. The delegation so formed shall thereafter select a chairperson of the delegation, select convention committee members, select national committee members, and proceed with such other business as they may choose to conduct.
- b. The remaining delegates and all of the alternates shall be selected by separate caucuses of the elected delegates who are pledged to the various candidates or who are members of an uncommitted delegation. The chairperson of each caucus shall be the chairperson of the steering committee which selected the delegates at such caucus. Each such caucus shall be entitled to select that same percentage of the remaining delegates and of the total number of alternates to be selected as the number of delegates in the caucus was of the total number of delegates elected at the primary. The number of delegates and alternates which each caucus may select shall be rounded off to the highest percentage.
- c. The remaining delegates and all of the alternates so selected shall reflect the division of presidential candidate preference and uncommitted status of the delegates elected

at the primary. In the event the presidential candidate to whom an elected delegate is pledged is no longer a candidate at the time of the selection of the remaining delegates and the alternates, then for the purposes of the preceding sentence the elected delegate's preference shall be deemed to be as expressed by that delegate at the time of the selection of the remaining delegates and alternates.

- d. A delegate who is to be absent from, or resigns prior to, the national convention of the party shall select from among the alternates of that person's congressional district, if possible, the particular alternate of the same candidate preference or the same unpledged status who shall take that person's place. If, due to death or disability, a delegate is unable to select the alternate to take that person's place, that selection shall be made by the delegation in a manner which assures that the alternate will be of the same presidential preference or unpledged status and, if possible, congressional district as the delegate replaced.
- e. A vacant alternate position shall be filled by the delegation, and the replacement shall be of the same presidential preference or unpledged status and from the same congressional district.
- f. Within 10 days after the convention held pursuant to Subsection a of this article, the chairperson of the delegation shall notify the Secretary of State of the names and addresses of the remaining delegates and alternates who were added to the delegation after the presidential primary by the separate caucuses of elected delegates.

Section 8 Rules and Policies Governing Meetings of the California Delegation

- a. No person shall be excluded from any stage of the delegate selection process for failure to pay a cost or fee.
- b. Proxy voting shall be prohibited.
- c. The use of the unit rule shall be prohibited.
- d. No less than 40% (forty percent) of the members of the delegation shall constitute a quorum for the purpose of transacting business. Alternates not representing a delegate, pursuant to Article 7 (d), shall not be counted for purposes of constituting a quorum.
- e. Democratic constitutional officers, Democratic members of the State Board of Equalization, and Democratic members of California's congressional delegation and the state legislature shall be accorded the status of honored guests at any meeting of the California Delegation. The status of honored guest means that a person shall be entitled to the privileges of the floor but shall not be entitled to vote.

- f. There shall be no automatic delegates to the national convention.

Section 9

Non-Selected Candidates and Uncommitted Slates (Election Code Sections 6314, 6321, 6334)

- a. A presidential candidate not selected for the presidential preference portion of the ballot pursuant to Section 3 of this Article may qualify for ballot placement by circulating nomination papers which shall be signed by voters registered as affiliated with the Democratic Party equal in number to not less than 1 percent of the number of persons registered as members of the Democratic Party on January 1 of the presidential primary year. The form and circulation of nomination papers shall conform to the State Election Code 6300 et seq.
- b. Each unselected candidate and each group, consisting of at least five voters of the state who are registered as affiliated with the Democratic Party, proposing the election of delegates expressing no preference for a candidate for President, desiring to have delegates qualify for placement on the delegate selection portion of the presidential primary ballot in one or more congressional districts shall have nomination papers circulated in each such congressional district. Nomination papers shall be signed by voters registered as affiliated with the Democratic Party equal in number to at least 1 percent of the number of persons registered as members of the Democratic Party on January 1 of the presidential primary year. The form and circulation of nomination papers shall conform to the State Election Code 6300 et seq.
- c. Nomination papers for the presidential preference portion of the ballot and for the delegate selection portion of the ballot may be consolidated.

Submitted by:

DSCC RULES COMMITTEE
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