

# *Maine Delegate*

# *Selection Plan*

*for the 2020 Democratic National Convention*

*Submitted to the*

*DNC Rules and Bylaws Committee*

*July 9, 2019*

\*Plan has been re-submitted after presidential primary was established in June, 2019.

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# DELEGATE SELECTION PLAN FOR THE 2020 NATIONAL DEMOCRATIC CONVENTION

## SECTION I

### INTRODUCTION AND DESCRIPTION OF DELEGATE SELECTION PROCESS

A. INTRODUCTION

1. Maine has a total of 32 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 2020 Democratic National Convention* (Rules), the *Call for the 2020 Democratic National Convention* (Call), the *Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention* (Regs.), the *Maine Democratic Party Charter* (MDP), the Maine election code (Title 21-A MRSA), and this Delegate Selection Plan. (Call II.A; MDP 660(1))
3. Following the adoption of this Delegate Selection Plan by the Democratic State Committee (MDP 660(1)), which is the supreme governing body of the Maine Democratic Party when the State Convention is not in session (MDP 800(3)), it shall be submitted for review and approval to the DNC Rules and Bylaws Committee (“RBC”). The State Party Chair shall be empowered to make any technical revisions to this document to ensure its full compliance with Party rules, as required by the RBC to correct any omissions and/or deficiencies as found by the RBC. The State Party Chair shall make such corrections and resubmit the Plan to the RBC within 30 days after receiving notice of the RBC’s findings. (Regs. 2.5, 2.6 & 2.7)
4. Once the RBC has found this Plan in Compliance, any amendment to the Plan by the Maine Democratic Party must be submitted to and approved by the RBC before it becomes effective. (Reg. 2.9)

B. DESCRIPTION OF DELEGATE SELECTION PROCESS

1. The first determining step of Maine’s delegate selection process, the presidential primary, will occur on March 3, 2020.
2. Municipal caucuses will be held on March 8, 2020, to elect delegates to the State Convention to be held on May 30, 2020. Those State Convention delegates will be pledged to presidential candidates according to results of their respective caucuses, and not based on the results of the presidential primary held on March 3.
3. State convention delegates will elect national convention delegates in proportion to the preferences set by Maine Democrats in the presidential primary.

***Option 1 (Waiver from DNC to be requested): Pure Proportional Representation***

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2. *Maine will use a proportional representation system for apportioning delegates to the 2020 Democratic National Convention. The presidential primary will determine the apportionment of delegates to the National Convention based on declared presidential preference. (Rule 2.K.(5); Reg. 4.29; MDP 310 & 660(5)(C)\*) [Starred provisions of the MDP Charter conflict with this Plan and will be submitted to the Maine Democratic State Committee for amendment.]*

### **Option 2: 15% Threshold**

2. *Maine will use a modified proportional representation system for apportioning delegates to the 2020 Democratic National Convention. The presidential primary will determine the apportionment of delegates to the National Convention, subject to a 15 percent threshold requirement. (Rules 2.K.(5) & 14.B; Reg. 4.29; MDP 310 & 660(5)(C)\*) If no presidential preference receives 30 percent support in the primary, the threshold shall be half the percentage of primary votes cast for the leading candidates. (Rule 14.F)*

### 3. Voter Participation in Process

- a. Participation in Maine's delegate selection process is open to all registered voters who are enrolled in the Democratic Party. Any resident of a municipality may register to vote in that municipality at any time, including the day the presidential primary or the caucus. They may declare their enrollment in a political party at the time they first register to vote in that municipality or at any later time. A resident of a municipality who is registered in Maine and enrolled in another political party must, by state law, change enrollment to Democratic at least 15 days before the primary or the municipal caucus in order to be eligible to participate in the primary or caucus. (21A MRSA § 144(3)) Voters who are newly registered in Maine or who are not enrolled in any party may enroll as Democrats at any time, including the day of the primary or caucus, and be eligible to participate in the primary or caucus. (Rules 2.A & 2.C; Reg. 4.3; 21-A MRSA §§ 111, 121 *et seq.*) The primary election, the municipal caucuses, the State Convention, and all meetings held to fill delegate vacancies are scheduled at dates, times, and publicly accessible places designed to encourage the participation of all Democrats, with due consideration to religious observations and other events that could significantly affect participation. (Rule 3.A; Reg. 4.5)
- b. All Maine citizens who will be at least 18 years old on the date of the general election are eligible to register to vote and to participate fully in the Democratic Party's nominating process. (21A MRSA § 111-A)
- c. The State of Maine and the Maine Democratic Party are committed to a secure election process that makes the process of voting transparent and fraud-proof by putting all aspects of it under public control, including the use of open-source ballot-handling software, paper ballots, and an effective auditing process. (Rule 2,H; MDP Platform D(7))
  - (1) The State of Maine maintains secure and accurate state voter registration rolls, so that all registered voters have their personal information protected and secure; (Rule 2.H.1; 21-A MRSA § 196-A)
  - (2) The State of Maine implements transparent and accurate voter registration list maintenance procedures that comply with federal requirements and ensure that every eligible voter stays on the rolls; (Rule 2.H.2; 21-A MRSA §§ 180–182, 194, 221–222; Me. Sec. State Rule 505)

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- (3) The State of Maine centrally procures and leases a uniform digital precinct tabulating system using optical scanners. These are currently provided to a majority of municipalities representing a large majority of Maine’s voters, at no cost to the municipality except to the extent that the municipality chooses to use them for its local elections. An RFP is in preparation for the 2020–2024 cycle to upgrade the scanners and provide them to all municipalities with more than 500 voters; (Rule 2.H.3)
  - (4) No municipality within the State of Maine has used direct recording electronic systems since the 1990s. All systems, including the accessible electronic ballot-marking system, use paper ballots. Furthermore, Maine law expressly requires that if a direct recording system were used, it must have a voter-verified and auditable paper record; (Rule 2.H.4; 21-A MRSA §§ 812(10))
  - (5) The State of Maine requires all voting systems to have capabilities for effective risk-limiting post-election audits, and all recounts must compare the paper and electronic records. No anomalies in tabulation have been found in any of the recounts of optically scanned ballots that have been conducted; (Rule 2.H.5; 21A MRSA §§ 808(12) & 812(10))
  - (6) The State of Maine ensures that all voting systems have recognized security measures; (Rule 2.H.6; 21-A MRSA §§ 609, 809, 809-A, 812, & 844) and
  - (7) The State of Maine requires the use of accessible and secure voting machines that make it possible for individuals with disabilities to vote securely and privately. (Rule 2.H.7; 21-A MRSA §§ 1(47-B), 630, 671(2), & 808(1-A))
- d. In accordance with the Democratic Party’s requirement to assess and improve participation with respect to presidential preference and the delegate selection process, the State of Maine and the Maine Democratic Party are committed to year-round voter protection programs to support educational, administrative, legislative, and litigation-based efforts to protect and expand the vote and advance election fairness and security. (Rule 2.I.1; MDP Platform D(6), D(27), & F(3))
- (1) The State of Maine has expanded access to voting through measures including no-excuse absentee voting and same-day voter registration. Absentee ballots may be cast in the presence of the municipal clerk at any time during business hours within the 45-day period preceding the election. No-excuse absentee ballot requests may be made at any time within three months and three days before the election, and ballots must be provided or mailed immediately upon request; (Rule 2.I.1.a; 21-A MRSA § 753-B)
  - (2) The State of Maine has adopted measures to ensure that voting locations are accessible, fairly placed, and adequate in number, and have a sufficient number of voting booths or voting machines, as applicable; (Rule 2.I.1.b; 21-A MRSA §§ 629(1), 630, & 810(4))
  - (3) The most common reason for voting delays in Maine is complex local election ballots, as the State of Maine ensures the availability of sufficient optical scanners in large municipalities to handle normally foreseeable turnout. When there are lines at the scanners, municipalities are encouraged to give voters the options of depositing ballots in auxiliary ballot boxes. These are supervised by

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- bipartisan teams of election clerks, which scan the ballots when the lines subside; (Rule 2.I.1.c)
- (4) The State of Maine does not impose onerous and discriminatory voter identification requirements. Verification of identity is only required for individuals who are not already in the central registration system, and registrars must accept a wide range of documents as proof of identity for new registrants; (Rule 2.I.1.d; 21-A MRSA § 112-A)
  - (5) Maine's voting system makes it extremely unlikely that voters can be issued incorrect ballots. However, if they are, the ballots are counted and included in the final total for all offices for which the voters are eligible to vote (Rule 2.I.1.e);
  - (6) The State of Maine has adopted measures to facilitate military and overseas voting; (Rule 2.I.1.f; 21A MRSA §§ 154 & 776–783) and
  - (7) To ensure that candidates rejected by a majority of the voters are not elected, the State of Maine uses ranked-choice voting for all statewide and legislative primary elections, and for general elections for the United States House and Senate. (21-A MRSA §§ 1(27-C) & 723-A)
- e. The State of Maine and the Maine Democratic Party are committed to encouraging participation in the delegate selection process by registered voters, including the following measures:
- (1) As noted earlier, Maine has long allowed and facilitated same-day voter registration. Under recently enacted legislation, an automatic voter registration program will be implemented in 2022; (Rule 2.I.2.a; 21-A MRSA §§ 231–238, *enacted by* PL 2019, ch. 409 (LD 1463))
  - (2) The State of Maine allows pre-registration of otherwise eligible voters at age 16, effective as soon as they reach voting age; (Rule 2.I.2.b; 21-A MRSA § 155)
  - (3) The State of Maine does not disenfranchise voters based on criminal convictions, allowing all citizens of voting age who are Maine residents to register and vote, even those who are currently incarcerated (Rule 2.I.2.c; 17-A MRSA § 1152; 21A MRSA §§ 111 & 112(14)); and
  - (4) The State of Maine allows same-day registration of voters for all primary and general elections and municipal party caucuses. (Rule 2.I.2.d; 21-A MRSA §§ 122(4), 158, & 661)
- f. The Maine Democratic Party is committed to a fair, accessible, and transparent caucus process.
- (1) Maine law requires municipalities to have registrars onsite for municipal caucus to facilitate same-day registration and same-day party enrollment. (Rule 2.K.3; 21-A MRSA § 158)
  - (2) All municipal caucuses report their results on a preliminary basis to Maine Democratic Party Headquarters immediately after the caucus, and staff verify that the State Convention delegates have been allocated correctly based on the results reported. (Rules 2.K.4 & K.5)

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(3) Written caucus reports, which include each individual voter's personally-executed declaration of presidential preference or uncommitted status, must be submitted to Maine Democratic Party Headquarters within one week after the caucus and must be retained and made available for public inspection until the 2022 uniform caucus date. The municipal delegation is subject to challenge, as described in Subsection III(A)(9) below, for a period of 14 days after the municipality's caucus report is filed. A presidential candidate who believes one or more municipal delegations may have been improperly allocated has standing to bring a challenge. (Rules 2.K.6 & K.7; MDP 240 & 610(4))

(4) The Maine Democratic Party conducts training programs in advance of the municipal caucuses for municipal chairs and caucus conveners, and conducts reviews each election cycle to assess the municipal caucuses and State Convention and consider ways to improve the process and increase participation. We have reached out to partner organizations with "community conversation" meetings targeted at underrepresented communities, such as women, youth, and immigrants. We will schedule as many of these as possible in January and February of 2020 to ensure participation in municipal caucuses. As appropriate, changes are made to the MDP Charter, operational manuals, and outreach and training materials. We work with municipalities to ensure that caucus locations are not inaccessible due to disability or geography. (Rules 2.I & 2.K.9)

g. At no stage of Maine'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; MDP 110(7)) State Convention fees shall be waived or subsidized as necessary to prevent anyone from being excluded from participation for inability to pay the fee, low-cost and free housing options shall be available for out-of-area delegates and alternates, and the Party will publicize these opportunities as part of its outreach program.

h. No person who participates in the presidential nominating process of any other party shall participate or vote in the nominating process for the Democratic presidential candidate in the same election. (Rule 2.E; 21-A MRSA § 144)

i. No person shall vote in more than one presidential primary election or participate in more than one municipal caucus. (Rule 3.E; Reg. 4.7; 21A MRSA § 111)

### 4. Scheduling of Delegate Selection Meetings

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 locating and confirming the availability of publicly accessible facilities, for all official meetings and events related to this process, other than the State-administered presidential primary election. In addition, the scheduling of meetings shall consider any religious observations that could significantly affect participation. (Rule 3.A; Reg. 4.5)

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### SECTION II

#### PRESIDENTIAL CANDIDATES

- A. The Maine Democratic State Committee shall certify to the Maine Secretary of State, by Nov. 1, 2019, whether there is a contest for the Democratic presidential nomination. If so, the State shall hold a Democratic presidential primary. (21-A MRSA § 441)
- B. The Maine Secretary of State will make presidential primary candidate nomination petitions available by November 1, 2019. Petitions are available from the Department of the Secretary of State, Division of Elections, located at the Burton M. Cross State Office Building, 4th floor, 111 Sewall Street, Augusta, Maine.  
(21-A MRSA § 442)
- C. A Democratic presidential candidate must submit a petition signed by at least 2,000 and no more than 3,000 enrolled Maine Democrats to the Maine Secretary of State by 5 p.m. on December 21, 2019. (21-A MRSA §335(5)(B-3))
- D. The Secretary of State's website is: <https://www.maine.gov/sos/cec/elec/candidate/index.html>
- E. All presidential candidates shall use their best efforts to ensure that their respective delegations within the state delegation achieve the affirmative action goals established by this Plan and are equally divided between men and women. (Rule 6.I) If there is an uncommitted delegation, its members shall work together in similar fashion to ensure compliance with these principles.

### SECTION III

#### SELECTION OF DELEGATES AND ALTERNATES

##### A. MUNICIPAL CAUCUSES AND STATE CONVENTION DELEGATE SELECTION

###### 1. Introduction

Each municipal caucus shall elect delegates and alternates to the State Convention on the basis of presidential preference or uncommitted status. (MDP 310(3)) Please note that discussion of delegates and alternates in this section deals with delegates and alternates to the State Convention, and not to the National Convention. The description of the municipal caucuses is to give background on how people are elected to the State Convention. The discussion of selection of delegates to the National Convention is discussed in the following section, titled "District -Level Delegates and Alternates," and the sections that follow. All municipal caucuses are scheduled to take place on Sunday, March 8, 2020, the uniform caucus date established by the State Committee. (MDP 210(1)(A))

###### 2. Regulation of Caucuses

Municipal caucuses are called in each even-numbered year by the Municipal Committee Chair or the Chair's designee, or if the Chair fails to serve or to designate a convener, the Municipal Committee or the County Committee shall appoint a convener. (MDP 210(3)(A); 21-A MRSA § 311) The convener shall schedule the caucus for a time between 1:00 p.m. and 8:00 p.m. on the uniform caucus date. The Municipal Committee shall notify the County Chair of the time and place of the caucus at



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least 60 days in advance of the uniform caucus date. In any municipality where the Municipal Chair or a majority of the Municipal Committee has not given notice, the County Committee shall if feasible call a caucus and appoint a convener, making efforts to work with local Democrats to establish a suitable time and place, and ensure that adequate publicity of the caucus is given to Democrats within the municipality. (MDP 210(2)(C)) The convener shall publish a notice of the caucus in a newspaper of general circulation in the municipality at least three, and not more than seven, days before it is to be held. Alternatively, notice shall be posted in a conspicuous public place in each municipal voting district at least seven days before the caucus. In addition, a copy of the notice shall be filed with the Municipal Clerk and the State Committee. The notice shall state the name of the Party, the time and place of the caucus, the name of the person calling it, the availability and location of voter registration on the caucus day, and the time balloting for presidential preferences will begin. (MDP 220; 21A MRSA § 311) A voter may only participate in the caucus of the municipality in which the voter is registered. Records shall be kept of the names of all caucus participants. The municipal registrar shall make a voter list available to the convener in advance of the caucus. Any voter challenges shall be resolved by the municipal registrar in accordance with the Maine Election Code. (21-A MRSA §§ 312 & 314; MDP 240)

### 3. Apportionment of Delegates and Alternates

- a. Each municipality is entitled to one delegate and one alternate for each 91.14 votes cast for the Democratic candidate for Governor in the 2018 general election, rounded to the nearest whole number. The number 91.14 is a two-place approximation and was computed by dividing 3,500 into the total number of votes cast for the Democratic candidate for Governor (excluding uniformed and overseas votes that were not tabulated by municipality); the calculation will be carried out with further precision in any municipality where the round-off error might affect the number of delegates and alternates allotted. Each municipality shall receive at least one delegate and one alternate. (Rule 8.B; MDP 300(1))
- b. In any municipality that is divided into precincts for the conduct of elections, the Municipal or County Committee may choose by majority vote, at the time the caucus is called, to divide the caucus by precincts. This is mandatory in Presidential election years if a municipality divided into precincts is entitled to at least 50 State Convention delegates. (MDP 230(4)) Precinct caucuses may be held in a single central location or in separate locations throughout the municipality. (MDP 210(4)) The municipality's delegate positions shall be allocated among precincts in proportion to their vote for the Democratic candidate for Governor in 2018, or if the municipality votes by precinct only in Presidential years, in proportion to their vote for the Democratic candidate for President in 2016. If this information is not available, or is not relevant because of material changes in precinct boundaries, delegates and alternates shall be allocated in proportion to the number of Democrats who reside within each precinct. (MDP 300(4))

### 5. Delegate Selection

The number of delegates and alternates for each presidential preference shall be determined by the preferences expressed by the caucus participants. The chairperson of the caucus at the municipal, ward, or precinct level shall conduct the procedure for allocating delegates as follows (MDP 310(3)):

- a. Announce at the beginning of the caucus the total number of delegates to be elected by that municipality, ward, or precinct;
- b. Count and announce the number of eligible Democrats present at the caucus;

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- c. Count and physically divide those in attendance according to presidential preference, including the category “uncommitted”;
- d. Determine the number of delegates and alternates for each preference by multiplying the percentage supporting that preference by the total number of delegates to be elected from the municipality, ward, or precinct. Assign delegates and alternates according to the whole number thus earned, and then assign one delegate and one alternate in order to those preferences with the largest fractions, until the total number apportioned to the municipality, ward, or precinct has been assigned;
- e. Inform those whose preference did not attract enough votes to be assigned a delegate that they are free to choose another preference and are eligible to run as a delegate to the State Convention for that preference, subject to the obligation to act in good faith as a representative at the State Convention;
- f. Conduct a public coin toss if there is any tie that cannot be resolved by moves among the preferences;
- g. Send each preference group to caucus separately and return with its choice of delegate(s) and alternate(s). The delegates and the alternates within each preference group shall both be equally divided between men and women as defined below in Paragraph III(B)(5)(b), even if this results in vacancies to be filled later under Subsection 8.

### 6. Alternates

The alternates for each preference group within each municipality, or within each precinct where delegates and alternates are elected by precinct, shall be ranked by random drawing at the caucus when they are elected. (MDP 300(3))

### 7. Caucus Report

No later than seven days after the caucus, the caucus chair shall submit a report to State Party Headquarters, on a form prescribed by State Headquarters. (MDP 240) The information to be reported shall include the number of State Convention delegate positions allocated to each presidential preference and the name, contact information, and presidential preference of each delegate and alternate elected.

### 8. Filling Vacancies (MDP 320)

- a. Vacancies may only be filled from within the preference group to which the position is assigned based on the results of the municipal caucus.
- b. If a delegate position becomes vacant before the State Convention, the highest-ranking alternate from the same preference group within the same municipality shall replace the delegate, unless that would create or increase a gender imbalance within the municipal delegation and there is an eligible alternate of a different gender, in which case the eligible alternate of a different gender with the highest priority shall become a delegate.
- c. Alternate vacancies, and delegate vacancies that cannot be filled in accordance with Paragraph (b) above, may be filled by the preference group before the State Convention in the manner prescribed by the Maine Democratic Party Charter.

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- d. Delegate vacancies at the State Convention shall be filled by a random selection process to the extent that there are alternates in attendance from the same preference group. (MDP 320(4))

### 9. Challenges

- a. Any Democrat may challenge any delegate or alternate certified to the State Convention by notifying State Headquarters in writing. (MDP 610(4)(A))
- b. A challenge to an entire municipal delegation must be filed within 14 days after receipt of the completed municipal caucus report by the State Committee. Other challenges must be filed within 14 days after the report of the election of the challenged delegate or alternate is filed, and no later than May 22, 2020. (MDP 240, 610(4)(B))
- c. The challenge must include the name and address of the delegate or alternate who is being challenged and the reason for the challenge. (MDP 610(4)(A))
- d. Challenges shall be referred to the Committee on Credentials, which must consider any statements from the challenger and from the delegate or alternate being challenged, and may take testimony from other persons. (MDP 610(4)(C) through (E))
- e. After the hearing, the Committee on Credentials shall report in writing to the State Convention the name of the delegate or alternate it believes is entitled to participate in the State Convention. The State Convention shall vote on the report of the Committee on Credentials on each challenge. (MDP 610(4)(F) & (G))

## B. NOMINATION AND ELECTION PROCEDURES FOR PLEDGED DELEGATES AND ALTERNATES

- 1. These procedures govern the selection of the four categories of pledged delegates and alternates to the National Convention: First District delegates, Second District delegates, at-large delegates and alternates, and pledged party leader and elected official (PLEO) delegates. Candidates for National Convention Delegates need not be elected State Convention Delegates.
- 2. Filing Requirements
  - a. There is no separate filing process for alternates. All alternates shall be chosen from the pool of candidates who have filed to run for at-large delegate positions (Rule 13.C), with the runners-up in the delegate election serving as alternates subject to the equal division requirements set forth in Subsection 5 below.
  - b. All delegate candidates must be identified as to presidential preference or uncommitted status at all levels that determine presidential preference. (Rule 13.A)
  - c. A candidate for a delegate position pledged to a presidential candidate must be a *bona fide* supporter of that candidate and must withdraw from consideration for that delegate position if the delegate candidate becomes a supporter of any other presidential candidate or is no longer committed to support one specific candidate, except as provided in Paragraph 3(e).
  - d. To qualify as a candidate to be a pledged delegate to the 2020 Democratic National Convention, an individual must submit a petition to the State Committee. Nomination petitions will be available from state headquarters no later than February 7, 2020.

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A candidate may run in more than one delegate category for which the candidate is qualified, but, if so, must file a separate petition for each category. Each petition shall include the candidate's name, Congressional District, the position for which the candidate wishes to be considered, and the presidential preference or uncommitted status of the candidate, before any signatures are affixed. Delegates may sign as many petitions as they wish. Petitions must be filed no later than 5:00 p.m. at the Democratic State headquarters no later than May 15, 2020, which is 14 days before the opening of the State Convention. Petitions should be sent to the State Committee by certified mail with return receipt. Petitions delivered in person must be registered with the State Committee, which will give a receipt to the bearer. These receipts are a candidate's only proof of petition. The Petition must be filed with a signed pledge of support affirming that the delegate candidate is a *bona fide* supporter of the presidential candidate, or for uncommitted positions, affirming that the delegate candidate is not a committed supporter of any presidential candidate who is actively seeking National Convention delegates from Maine. (Rule 13.B; Regs. 4.17 & 4.22; MDP 630(5), 660(6)) A candidate may only have one presidential preference; however, a candidate whose presidential preference changes before the filing deadline may withdraw any petitions circulated under the prior preference and, if approved by the new candidate's campaign, run as a candidate in the new preference group by filing an updated nominating petition with an updated pledge of support.

- (1) Any enrolled Maine Democrat may run for election as a pledged delegate. Candidates are not required to be delegates to the State Convention in order to run for National Delegate. A district-level delegate candidate may only run within the district in which the candidate is registered to vote. (Rule 13.H; MDP 660(6)(A))
- (2) Nomination petitions for district-level delegate candidates must be signed by at least 35 State Convention delegates and/or alternates who are registered to vote in that district. (MDP 630(5)(A), 660(6)(C))
- (3) Nomination petitions for pledged PLEO delegate candidates must be signed by at least seven State Committee members.
- (4) Nomination petitions for at-large delegate candidates must be signed by at least 35 State Convention delegates and/or alternates. (MDP 630(5)(A), 660(6)(C))
- (5) The Executive Director of the Maine Democratic Party shall make copies of the list of State Convention delegates and alternates available on request to any candidate for National Convention delegate.
- (6) The mailing address for petitions is:

Maine Democratic Party  
P.O. Box 5258  
Augusta ME 04332-5258

- e. On May 22, 2020, at 3:00 PM, a public drawing at Maine Democratic Party Headquarters shall determine the position of each candidate on the ballot (MDP 630(5)(E)), except that candidates for pledged PLEO positions shall be listed in priority order with a separate drawing where applicable within each priority level. The drawing shall be announced on the Maine Democratic Party Website, and sample ballots shall be provided for the candidates to review.

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### 3. Presidential Candidate Right of Approval

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), a list of all persons who have filed for delegate pledged to that presidential candidate, in time for that list to be received no later than May 20, 2020. (Rules 13.D & 13.F; Reg. 4.24.B)
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file a list of approved district-level delegate candidates with the State Democratic Chair by Noon on May 22, 2020. (Rules 13.D & 13.F; Reg 4.24.D) Candidates are encouraged, but not required, to finalize their approved lists of pledged PLEO and at-large delegate candidates by this time as well.
  - (1) For district-level candidates, a presidential candidate may not disapprove a nomination if the disapproval would leave fewer than three times the number of nominees of that gender as there are delegate positions in that district for which delegates of that gender and presidential preference might be eligible. (Rule 13.E.(1); Reg. 4.25) This Subparagraph and Subparagraph (2) do not prohibit the disapproval of a gender-non-binary candidate who is not a *bona fide* supporter of the presidential candidate.
  - (2) For at-large or pledged PLEO candidates, a presidential candidate may not disapprove a nomination if the disapproval would leave fewer than twice the number of nominees of that gender as there are delegate positions in that category for which delegates of that gender and presidential preference might be eligible. (Rule 13.E.(2))
  - (3) For pledged PLEO positions, preference shall be given in the following descending order of priority (Rule 10.A.(1)):
    - (i) Big city mayors and statewide elected officials (to be given equal consideration);
    - (ii) State legislative leaders;
    - (iii) State legislators;
    - (iv) Other state, county, and local elected officials and party leaders.

For purposes of this Subparagraph, "Big city mayor" means the mayor of Portland or Lewiston, if elected as a Democrat in a citywide partisan election (Reg. 4.16), and "statewide elected official" means the Maine Attorney General, Secretary of State, Treasurer, or Auditor, if elected as the Democratic nominee.
- c. Failure to respond in writing by Noon May 22, 2020 shall be deemed approval of all district-level delegate candidates submitted to the presidential candidate. However, at the time that the lists of nominees are submitted by the State Democratic Chair, the presidential candidates or their authorized representatives shall be advised that they may finalize their lists of approved pledged PLEO delegate candidates at any time up to 15 minutes after the results of the district-level delegate election have been announced, and may finalize their lists of approved at-large delegate candidates at any time up to 15 minutes after the results of the pledged PLEO delegate election have been announced. Any candidate or authorized representative wishing to exercise this right is encouraged to file a written request with the State Democratic Chair, including contact information, before the State Convention. Candidates that have not filed contact information in advance shall be responsible to ensure that their approved lists are communicated to Convention Staff before the deadline. (Regs. 4.13, 4.24.D)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

- d. A national convention delegate candidate removed from the list of approved delegate candidates by a presidential candidate, or by that candidate's authorized representative(s), may not be elected as a delegate or alternate pledged to that candidate in that category. However, a presidential candidate or authorized representative may approve a delegate candidate to run in one category while disapproving the same candidate in another category. (Rule 13.E; Reg. 4.25.C)
  - e. If a presidential candidate withdraws from the race at any time after nominating petitions for national convention delegate have begun circulating, all valid nominating petitions for any category of national convention delegate pledged to that presidential candidate shall be deemed to be candidates for uncommitted delegate in the same category, or, with the affirmative written permission of another presidential candidate's authorized representative, may choose instead to be candidates pledged to that presidential candidate. Refusal to grant such permission is not considered a "removal from the list of authorized candidates" for purposes of this subsection.
  - f. Within three days after each presidential candidate's list of approved delegate candidates has been returned pursuant to Paragraph (b) above, or on the first business day thereafter, the State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether the candidate has used best efforts to ensure that the delegate and alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan. For the uncommitted delegation, if any, and for any candidate who has not exercised the right of review, the State Democratic Chair's certification shall be submitted no later than Tuesday, May 26, 2020.
4. Fair Reflection of Presidential Preference
- a. All Delegates and Alternates shall be identified by presidential preference group. A Delegate or Alternate whose presidential preference has changed must file a signed statement at the Democratic State headquarters no later than 5:00 p.m., May 15, 2020, affirming that the Delegate or Alternate no longer supports the original candidate and is now a *bona fide* supporter of the new candidate, or, as applicable, is no longer uncommitted or has become uncommitted. Copies of all such statements shall be submitted to the new presidential candidate's authorized representative no later than May 19, 2020, except in the case of a change to uncommitted status. (MDP 610(2)\*, 660(8)(A)) A change in status is subject to challenge as in accordance with Subsection A(9) above.

### ***Option 1: Pure Proportional Representation***

- b. *The National Convention delegates and alternates within each category shall be apportioned among presidential preferences, including "uncommitted," in proportion to the results of the presidential primary. Candidates who have withdrawn from the race shall be treated as part of the "uncommitted" preference group. (MDP 660(5)(C)\*; Rules 2.K.(5), 14.A, 14.B, 14.D)*
- c. *Apportionment shall be conducted according to the following procedures (Rules 14.A & 14.D):*
  - Step 1: Tabulate the percentage of presidential primary votes that each presidential preference (including uncommitted status) received. (MDP 660(5)(C)\*) Apportionment shall be based on the primary vote*

## Maine Delegate Selection Plan for the 2020 Democratic Convention

*within the district for district-level delegates, and on a statewide basis for at-large delegates and alternates and for pledged PLEO delegates.*

- Step 2: Multiply the total number of delegates or alternates to be allocated by the percentage received by each presidential preference in Step 1.*
- Step 3: Allocate delegates or alternates to each presidential preference based on the results of Step 2, rounding down to whole numbers by disregarding the fractional remainder.*
- Step 4: Allocate the remaining delegates or alternates in order of the highest fractional remainders.*
- Step 5: If the result of Step 4 for one or more preference groups is zero, recalculate Steps 1 through 4 excluding any such preference group. Repeat until only those preference groups entitled to delegates are considered.*

### **Option 2: 15% Threshold**

- b. *The National Convention delegates and alternates within each category shall be apportioned among those presidential preferences, including “uncommitted,” that received the required minimum percentage of the vote in the presidential primary. Candidates who have withdrawn from the race shall be treated as part of the “uncommitted” preference group. (MDP 660(5)(C)\*; Rules 2.K.(5), 14.A, 14.B, 14.D)*
- c. *Apportionment shall be conducted according to the following procedures (Rules 14.A & 14.D):*
- Step 1: Tabulate the percentage of presidential primary votes that each presidential preference (including uncommitted status) received. (MDP 660(5)(C)) Apportionment shall be based on the primary vote within the district for district-level delegates, and on a statewide basis for at-large delegates and alternates and for pledged PLEO delegates.*
- Step 2: Recalculate the percentages after excluding all presidential preferences whose percentages fall below the applicable threshold. (Rule 14.B) The applicable threshold is 15% if at least one candidate received 30% of the vote or more, or half the leading candidate’s share if all candidates received 30% of the vote or less. (Rule 14.F) Results shall be published to the nearest tenth of a percentage point unless greater precision is required to avoid roundoff error.*

**[DRAFTING NOTE: The Maine Legislature gave preliminary approval to a bill that would use ranked-choice voting in presidential primary elections, but adjourned before taking final action. If the Legislature reconvenes and the bill becomes law, Step 2 would reassign the primary votes cast for the lowest-ranking candidate, based on the voters’ second choices, if that candidate failed to reach the applicable threshold. The process would repeat until all remaining candidates have reached or exceeded the applicable threshold.]**

- Step 3: Multiply the total number of delegates or alternates to be allocated by the percentage received by each presidential preference in Step 2.*

## Maine Delegate Selection Plan for the 2020 Democratic Convention

*Step 4: Allocate delegates or alternates to each presidential preference based on the results of Step 3, rounding down to whole numbers by disregarding the fractional remainder.*

*Step 5: Allocate the remaining delegates or alternates in order of the highest fractional remainders.*

### 5. Election Procedure

- a. Elections for each category of pledged delegates shall be by written ballot at the State Convention. Candidates shall be listed on the same ballot but in separate columns by gender, and individual voters may vote for candidates of any gender, up to the total number of positions to be filled in that election. If a candidate for pledged PLEO or at-large delegate has already been elected as a delegate in another category, or if that candidate has been removed from the list of approved delegate candidates by the presidential candidate or authorized representative after the ballots have been printed, voters shall be instructed at the time ballots are distributed to remove that candidate's name from the ballot, and votes for that candidate shall not be counted. (Reg. 4.31.B)
- b. The cohort of delegates elected by each constituency shall be equally divided between men and women. A constituency means a presidential preference group voting for a particular delegate category, treating each district for this purpose as a separate category of district-level delegates. For purposes of equal division, gender is determined by self-identification and gender-non-binary delegates shall not be counted as men or women. If the total number of men and women in any cohort is odd, equal division within that cohort means that the number of men and the number of women differ by exactly one. (Rule 6.C; Call IX.R, MDP 660(8)(C)\*)
- c. Unless it would create an unequal division between men and women, the candidates receiving the highest number of votes from the constituency shall be elected, with any ties for the last position decided by public coin toss.
- d. Equal division within each voting constituency shall be ensured by eliminating the candidates of the gender that would otherwise be over-represented who received the fewest votes.
- e. Equal division at other levels of the delegation shall be ensured by identifying the voting constituencies for which the total number of men and women who would otherwise be elected at Step (d) is odd, and for which the majority gender in that cohort is also the over-represented gender at a higher level, and then eliminating the candidate of that gender who received the fewest votes, according to the following priorities (Rule 6.C: Reg. 4.9):
  - (1) Any constituency in which that candidate was selected by a coin toss over a candidate of a different gender;
  - (2) A preference group within a Congressional District, if that preference group's overall district-level delegation would otherwise be unequally divided;
  - (3) A preference group within any delegate category, if the State's entire delegation, including automatic delegates, would otherwise be unequally divided overall;



## Maine Delegate Selection Plan for the 2020 Democratic Convention

- (4) A preference group within any delegate category, if that delegate category would otherwise be unequally divided overall;
- (5) A preference group within any delegate category, if that preference group's delegation would otherwise be unequally divided overall;
- (6) The constituencies filling the largest number of positions;
- (7) The constituencies with the narrowest margin between the votes for the candidate who would be replaced and the candidate who would be the replacement;
- (8) The constituencies in which the candidate who would be the replacement received the highest percentage of the votes cast;
- (9) Public coin toss.

6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's pledged delegates and alternates to the Democratic National Convention in each category within ten days after their election. (Rules 8.C & 8.D; Call IV.A)

### C. DISTRICT-LEVEL DELEGATES

1. Maine is allocated 16 district-level delegates. (Rule 8.C; Call I.B, I.I & Appendix B)
2. District-level delegates shall be elected at the State Convention on May 30, 2020, before the selection of any other category of delegates except the Automatic PLEO delegates.
3. Apportionment of District-Level Delegates
  - a. For the purposes of this discussion "district" refers to congressional districts. Delegates are apportioned among the districts based on a formula giving equal weight to population, as determined by the official 2019 U.S. Census Bureau estimate, and to the average vote for the Democratic candidates in the 2012 and 2016 presidential elections. (Rule 8.A.1; Regs. 4.12 & Appendix A; MDP 660(5)(B)\*)
  - b. Maine's total number of district-level delegates shall be equally divided between men and women. (Rule 6.C.(1); Reg. 4.9; MDP 660(8)(C))
  - c. There shall be 9 district-level delegates elected from the First Congressional District, and 7 district-level delegates elected from the Second Congressional District.

### D. AUTOMATIC PARTY LEADER AND ELECTED OFFICIAL DELEGATES

1. All Party Leaders and Elected Officials meeting the following criteria shall serve as delegates to the National Convention, in addition to the delegates chosen by the State Convention:
  - a. Members of the Democratic National Committee who legally reside in Maine; (Rule 9.A.(1); Call I.F & J; Reg. 4.14)
  - b. All of Maine's Democratic Members of the U.S. House of Representatives and the U.S. Senate; (Rule 9.A.(3); Call I.H & J)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

- c. Maine’s Democratic Governor; (Rule 9.A.(4); Call I.H & J)
    - d. A “Distinguished Party Leader” delegate who legally resides in the state: all former Democratic Presidents or Vice Presidents; all former Democratic Leaders of the U.S. Senate; all former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders; and all former Chairs of the Democratic National Committee. (Rule 9.A.(5); Call I.G; Reg. 4.14)
  2. The certification process for the Automatic Party Leader and Elected Official delegates is as follows:
    - a. Not later than March 6, 2020, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the automatic delegates who legally reside in Maine. (Rule 9.A)
    - b. Official confirmation by the Secretary shall constitute verification of the automatic delegates from the categories indicated above. (Call IV.B.(1))
  3. At the time this Delegate Selection Plan was finalized, Maine would be entitled to 4 male Automatic PLEO Delegates and 4 female Automatic PLEO Delegates. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, or elections, and must be taken into consideration when ensuring that Maine’s overall delegation is evenly balanced. (Rule 6.C)
  4. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the presidential preference or uncommitted status of each automatic delegate within ten days after the election of at-large delegates and alternates. (Call IV.C)
  5. 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 automatic delegates. (Rule 6.C)
  6. Anyone who is entitled to automatic delegate status under this Section may choose to run for one or more pledged delegate positions. Any automatic delegates who are elected as pledged delegates shall cease to serve as automatic delegates and shall only be eligible to vote in their capacity as pledged delegates. (Call I.J)
- E. PLEDGED PARTY LEADER AND ELECTED OFFICIAL (PLEO) DELEGATES
  1. Maine is allotted 3 pledged Party Leader and Elected Official (PLEO) delegates. (Call I.D & E) Alternates are not selected at the pledged Party Leader and Elected Official level. The at-large alternate or alternates from a pledged PLEO delegate’s preference group shall serve as that delegate’s alternate or alternates.
  2. The pledged PLEO delegates will be elected on May 30, 2020 by the State Convention, after the election of district-level delegates and before the election of at-large delegates. (Rule 10)
- F. AT-LARGE DELEGATES AND ALTERNATES
  1. The state of Maine is allotted 5 at-large delegates. (Rules 8.C & 19.B; Call I.I & Appendix B)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

2. All alternates shall be elected at-large. (Reg. 4.34.C) There shall be one alternate for each presidential preference entitled to a pledged delegate position in any category. (Rule 19.B; Call I.I) In addition, because Maine is presumptively allocated two alternates, the leading presidential preference shall receive two alternates if it would earn both of those alternates based on proportional representation: that is, if it is the only presidential preference entitled to pledged delegates, or if its margin over the second-place preference exceeds 50 percentage points, (Rules 14.A & 14.D)
3. Selection of At-Large Delegates and Alternates
  - a. The at-large delegates will be elected on May 30, 2020 by the State Convention, after all district-level delegates and pledged Party Leader and Elected Official delegates have been elected. The alternates shall be selected, based on the results of the at-large delegate voting in accordance with Paragraphs 2(a) and 5(e) of Part B, immediately after the at-large delegates have been selected. (Rule 8.D & Call III)
  - b. Priority consideration:
    - (1) The election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of positions in the statewide delegation 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)
    - (2) Delegates and alternates are to be considered separate groups for this purpose. (Rules 6.A.(3) & 11.A; Reg. 4.8 & 4.19)
    - (3) In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs, priority consideration in the selection of candidates for at-large positions shall be given to African Americans, Hispanic/Latin Americans, Native Americans, Asian & Pacific Americans, and other groups identified by characteristics such as race/ethnic background, age, sexual orientation, gender identity, or disability. (Rules 5.C & 6.A; Reg. 4.8) As discussed more fully in the Affirmative Action and Outreach section of this Plan, such groups include, but are not limited to, the full range of other ethnic backgrounds, varied religions and faiths, Youth, Seniors, The LGBTQ+ community, Unorganized workers, People with a high school diploma or less, People with disabilities, and People of low and moderate income.
    - (4) State Convention delegates shall be encouraged to consider the Democratic Party's affirmative action goals when voting for National Convention delegates.

### G. REPLACEMENT OF DELEGATES AND ALTERNATES

1. A vacancy in a pledged delegate or alternate position may be filled according to the following guidelines:
  - a. Permanent Replacement of a Delegate: (Rule 19.D.(3))
    - (1) A permanent replacement occurs when a delegate resigns or dies before or during the National Convention. 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) as the delegate who is replaced.

## Maine Delegate Selection Plan for the 2020 Democratic Convention

- (a) If the presidential candidate has only one alternate, that alternate shall become the certified delegate.
    - (b) If the presidential candidate has more than one alternate, preference shall be given first to an alternate who does not cause the delegation to be unequally divided, and second to an alternate from the same Congressional District as the delegate who is replaced.
    - (c) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of a different gender, thereby causing the delegation to be unequally divided, the delegation shall not be considered in violation of Rule 6.C. However, notwithstanding Rule 19.D.(2), if any subsequent vacancy occurs, the Democratic State Committee shall if necessary replace a delegate with a person of a different gender and the same presidential preference, in order to return the delegation to equal division of men and women. (Reg. 4.36)
  - (3) A delegate or alternate candidate who has been elected but not certified to the DNC Secretary, and who resigns, dies, or is no longer eligible to serve, shall be replaced, after consultation with the Democratic State Committee, by the authorized representative of the presidential candidate to whom the delegate or alternate candidate was pledged. An uncommitted delegate or alternate candidate shall be replaced by the Democratic State Committee. (Rule 19.D.(2))
- b. Temporary Replacement of a Delegate: (Rule 19.D.(4))
- (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 who is replaced, and to the extent possible, shall not cause the delegation to be unequally divided and shall be from the same Congressional District as the delegate.
- c. When more than one alternate is eligible to serve as a permanent or temporary replacement, the delegation shall choose the replacement.
- d. Certification of Replacements
- (1) The State Democratic Chair shall certify any alternate who permanently replaces a delegate in writing to the Secretary of the DNC within three days after the replacement is selected. (Rule 19.D.(3); Call IV.D.1)
  - (2) 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. 4.35)
  - (3) If a pledged delegate is permanently replaced after the first session is scheduled to convene or within 72 hours beforehand, or if a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may

## Maine Delegate Selection Plan for the 2020 Democratic Convention

be designated by the delegation, consistent with the requirements of this Section, to cast the delegate's vote. The Delegation Chair shall indicate the name of the alternate and the name of the delegate replaced on the delegation tally sheet. (Call IX.F.3.c & IX.F.3.e; Reg. 5.6)

- e. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), shall not cause the delegation to be unequally divided, and, to the extent possible, shall be from the same Congressional District as the alternate being replaced. (Rule 19.E)
  - f. If a presidential preference fails for any reason to elect one or more pledged delegates or alternates to which it is entitled at the State Convention, the vacancy shall be filled in a manner consistent with this section by the delegation at its organizational meeting if a quorum is present, and otherwise by the State Committee with the advice and consent of the presidential candidate or authorized representative(s). If possible, an advisory vote shall be taken at the State Convention in a manner consistent with the procedures for election of delegates, except that write-in votes shall be permitted if there are insufficient names on the ballot. (Rule 14.C)
2. An automatic delegate shall not be entitled to a replacement, except under the following circumstances. (Rule 19.E; Call IV.D.2.c; Reg. 4.37) In no case may an alternate cast a vote for an automatic delegate. (Call IX.F.3.e)
    - a. In the event of changes or vacancies in the state's Congressional Delegation, following their official confirmation as delegates and before 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 and the automatic delegate shall not be entitled to a replacement, except in the case of death of the delegate, or in the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but before the commencement of the 2020 Democratic National Convention, in which case acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of automatic delegates. (Call IV.D.2.b)

## SECTION IV

### SELECTION OF STANDING COMMITTEE MEMBERS

#### A. INTRODUCTION

1. Maine has been allocated 1 member on each of the three standing committees for the 2020 Democratic National Convention (Credentials, Platform, and Rules). (Call VII.A & Appendix D)
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2020 Democratic National Convention. (Call VII.A.3)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

3. These members will be selected in accordance with the procedures indicated below. (Rule 1.G)
- B. SELECTION OF MEMBERS
1. Selection Meeting
    - a. The members of the standing committees shall be elected by a quorum of Maine's National Convention delegates, at the delegation's organizational meeting, to be held by June 13, 2020. (Call VII.B.1)
    - b. A quorum shall consist of 40 percent of Maine's delegates to the National Convention. (Rule 16)
    - c. 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)
    - d. If a standing committee is scheduled to meet before the selection meeting, the Democratic State Committee shall elect a temporary member at a well-publicized meeting, to serve until the permanent member is selected. Temporary members shall be allocated among presidential preferences (including uncommitted) in the same manner as the at-large and Pledged PLEO delegates, and shall be equally divided between men and women if temporary members are elected for more than one standing committee. (Call VII.G)
  2. Allocation of Members
    - a. The three standing committee members allocated to Maine shall be allocated among presidential preferences (including uncommitted) in the same manner as the at-large and Pledged PLEO delegates. (Call VII.C.1; Reg. 5.9)
    - b. If the preference groups entitled to elect standing committee members do not reach agreement as to which preference groups are to be represented on which committees, the preference group receiving the highest number of statements of support at the State Convention shall have first choice of standing committee assignments, and the preference group receiving the next-highest number of statements of support shall have second choice.
  3. Presidential Candidate Right of Approval
    - 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 2, 2020, a list of standing committee nominees. If the candidate submits at least one name for each standing committee slot awarded to the candidate, the delegation must choose from that list. (Call VII.D.2)
    - c. If the uncommitted preference group is entitled to elect one or more standing committee members, each uncommitted delegate may place up to one name in nomination for each standing committee slot awarded to the uncommitted preference group.

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4. Selection Procedure to Achieve Equal Division
  - a. Presidential candidates (including if applicable the uncommitted delegation) shall use their best efforts to cooperate to ensure that Maine's delegation of standing committee members shall achieve Maine's affirmative action goals and is equally divided between men and women. (Rule 6.I & Reg. 4.10)
  - b. A separate election shall be conducted for membership on each standing committee.
    - (1) The Credentials Committee member shall be elected first, followed by the Platform Committee member, then the Rules Committee member.
    - (2) If the Credentials Committee member and Platform Committee member are of the same gender, the Rules Committee member must be of a different gender.
    - (3) If a preference group is entitled to elect exactly two standing committee members, the second member elected must be of a different gender from the first member elected.
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 (DNC) within three 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 election procedures specified in this section, and must be certified in writing to the Secretary of the DNC within three days after the substitute is selected, but not later than 48 hours before the respective standing committee meets. (Call VII.B.4)

## SECTION V

### THE DELEGATION

- A. Maine will select one person to serve as Delegation Chair and two to serve as Convention Pages. (Call IV.E & IV.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 the delegation's organizational meeting, to be held by June 13, 2020. (Call IV.E)
    - b. A quorum shall consist of 40 percent of the state's delegates to the National Convention. (Rule 16)
    - c. 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)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three days after the Delegation Chair is selected. (Call IV.E)
- C. Convention Pages
1. Two individuals, not of the same gender, will be selected to serve as Maine's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place at the delegation's organizational meeting, to be held by June 13, 2020. (Call IV.F.3 & Appendix C; Reg. 5.7)
  2. The Convention Pages shall reflect, as much as possible, the Affirmative Action guidelines in the Affirmative Action Plan. (Reg. 5.7.A)
  3. The State Democratic Chair shall certify the individuals to serve as Maine's Convention Pages in writing to the Secretary of the Democratic National Committee within three days after the selection. (Call IV.F.3; Reg. 5.7.B)

## SECTION VI

### PRESIDENTIAL ELECTORS

- A. INTRODUCTION
1. Maine will elect four Presidential Electors for the 2020 election. A vote for a political party's nominee for President is a vote for the that party's nominees for Presidential Elector. (21A MRSA § 801)
  2. Two Presidential Electors are elected at large, and one is elected by the voters in each of Maine's two Congressional Districts, (21A MRSA § 802) At-large Presidential Electors must vote for the Presidential and Vice-Presidential candidates who received the highest number of votes in the statewide, and District Presidential Electors must vote for the Presidential and Vice-Presidential candidates who received the highest number of votes in their respective Districts. (21A MRSA § 805(2))
- B. SELECTION OF DEMOCRATIC NOMINEES
1. The Democratic nominees for Presidential Elector are elected at the State Convention on May 30, 2020. (21A MRSA § 321(2)(C); MDP 680)
    - a. The State Convention delegates from each Congressional District shall elect two Presidential Elector nominees: the District nominee and one of the two at-large nominees. (MDP 680\*)
    - b. A candidate for Presidential Elector may only run within the district in which the candidate is registered to vote. Nomination petitions must be signed by at least 35 State Convention delegates and/or alternates who are registered to vote in that district, and must be filed no later than 5:00 p.m. at the Democratic State headquarters no later than May 15, 2020. (MDP 630(5), 680\*) All candidates must certify in writing that if elected



## Maine Delegate Selection Plan for the 2020 Democratic Convention

as Presidential Electors, they will vote for the election of the Democratic Presidential and Vice Presidential nominees. (Call VIII)

- c. All candidates running in the district shall be listed on a single ballot. The candidate who receives the highest number of votes shall choose whether to serve as the District Elector nominee or the district's At-Large Elector nominee. The candidate who receives the next-highest number of votes and is not of the same gender shall serve as the district's other nominee. Ties shall be broken by public coin toss. (MDP 680\*)

## SECTION VII

### GENERAL PROVISIONS AND PROCEDURAL GUARANTEES

- A. The Maine Democratic Party reaffirms its commitment to an open party and pledges to maintain standards that equal or exceed the Six Basic Elements as adopted by the Democratic National Committee, which demonstrate the intention of the Democratic Party to ensure a full opportunity for all Democrats to participate in the delegate selection process. (Rules 4.A & C)
  1. All public meetings at all levels of the Democratic Party in each state should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, economic status or disability (hereinafter collectively referred to as "status"). (Rule 4.B.(1))
  2. No test for membership in, nor any oath of loyalty to, the Democratic Party in any state should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on "status." (Rule 4.B.(2))
  3. The time and place for all public meetings of the Democratic Party 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, on all levels, should support the broadest possible registration without discrimination based on "status." (Rule 4.B.(4))
  5. The Democratic Party in each state 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. Each State Party should develop a strategy to provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure all Democratic voters understand the rules and timelines and their impact on voter participation. (Rule 4.B.(5))
  6. The Democratic Party in each state 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

## Maine Delegate Selection Plan for the 2020 Democratic Convention

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. Maine's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women. This goal applies to the entire delegation, which includes all pledged delegates and alternates and all automatic delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division. (Rule 6.C)
- D. All pledged delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels that determine presidential preference. (Rule 13.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 13.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 13.J)
- G. All delegates, alternates, standing committee members, and Presidential Elector nominees 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 the Charter of the Maine Democratic Party, and who will participate in the Convention in good faith, or, as applicable, will cast their electoral votes in good faith for the Democratic nominees. (Rule 13.H & Reg. 4.26)
- H. Forty percent (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 Convention delegates, alternates, standing committee members, and other official Convention participants. (Rule 16) The members present and voting shall constitute a quorum for the transaction of business at any duly convened municipal caucus.
- I. There shall be no proxy voting at any level of the Democratic Party of Maine. (Rule 17; MDP 110(2))
- 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 18.A; MDP 660(7)(A))
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate, by virtue of such endorsement, shall receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate. All slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. (Rule 18.B; MDP 660(6))
- L. All steps in the delegate selection process 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 & 12.B)
- M. In electing and certifying delegates and alternates to the 2020 Democratic National Convention, Maine thereby undertakes to assure:
  - 1. That all Democratic voters in the state have 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;

## Maine Delegate Selection Plan for the 2020 Democratic Convention

2. That the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2020 Democratic National Convention;
3. 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 who have executed signed pledges 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 (Call VIII), and;
4. 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 VIII

#### AFFIRMATIVE ACTION PLAN AND OUTREACH AND INCLUSION PROGRAM

##### A. STATEMENT OF PURPOSE AND ORGANIZATION

1. Purpose and Objectives
  - a. To make sure that the Democratic Party at all levels is an open Party that includes rather than excludes people from participation, the Maine Democratic Party hereby adopts a program of effective affirmative action. (Rule 5.A)
  - b. All public meetings at all levels of the Democratic Party in Maine should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic background or identity, sexual orientation, gender identity and expression, economic status, education, or disability (hereinafter collectively referred to as “status”). (Rule 4.B.(1))
  - c. Discrimination on the basis of status, as defined above, is prohibited in the conduct of Democratic Party affairs. (Rule 5.B)
  - d. Consistent with the Democratic Party’s commitment to including groups historically under-represented in the Democratic Party’s affairs, by virtue of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity and expression, or disability, the Maine Democratic Party has established goals for these groups. (Rule 5.C & Reg. 4.8)
  - e. To encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the Maine Democratic Party has adopted and will implement programs with specific goals and timetables for African Americans, Hispanics/Latinx Americans, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the Maine Democratic Party has established goals and timetables for other underrepresented groups, including the LGBTQ+ community, people with disabilities, and youth. (Rule 6.A & Rule 7)
    - (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. (Rule 6.A.1)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

- (2) For the delegate selection process, “Youth” is defined as any participant younger than 36 years old at the time of election. (Reg. 5.3.A)
- (3) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe. (Reg. 5.3.B)
- (4) These goals 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 Maine Democratic Chair on March 1, 2019. (Rule 6.F)
  - b. The Maine Democratic Party Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of Maine’s Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data, and contact information of the members no later than 15 days after their appointment. (Reg. 2.2.J)
  - c. The Committee shall consist of members who are regionally diverse and represent the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan and Outreach and Inclusion Program. The members, and their biographies, are listed in Exhibit No. 1 of the attached Exhibits to the Affirmation Action Plan.
  - d. The Affirmative Action Committee shall be responsible for:
    - (1) Helping develop and design the proposed Affirmative Action Plan and Outreach and Inclusion Program and making recommendations to the Maine Democratic Party Chair. (Rule 6.F)
    - (2) Directing the implementation of all requirements of the Affirmative Action Plan and Outreach and Inclusion Program section of this Plan.
    - (3) Implementing a specific outreach and financial assistance program for persons of low and moderate income to encourage their participation and representation in the national convention delegation. (Rule 6.G)
    - (4) Ensuring, on behalf of the Maine Democratic Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics/Latinx Americans, 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 Maine Democratic Party Committee to the greatest extent feasible, including, but not limited to, making available on a priority basis, the Maine Democratic Party staff and volunteers, and covering all reasonable costs incurred in carrying out this Plan.
3. Implementation of the Affirmative Action Plan and Outreach and Inclusion Program shall begin on September 13, 2019, with the distribution of the press kits, and will continue through the end of the delegate selection process. (Rule 1.F)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

### B. REPRESENTATION GOALS

1. In cooperation with the National Committee, the Maine Democratic Party has determined the demographic composition of African Americans, Hispanic/Latinx Americans, Native Americans, and Asian Americans and Pacific Islanders in Maine’s Democratic electorate. These constituency percentages shall be established as goals for representation in Maine’s convention delegation. (Rule 6.A)
2. In cooperation with the National Committee, the Maine Democratic Party has determined the demographic composition of members of the LGBTQ+ community, people with disabilities, and youth in the state’s Democratic electorate. The Maine Democratic Party has chosen to establish these percentages as goals for representation in the state’s convention delegation (Rule 7 & Reg. 4.8.C.iii)
3. The methods used to determine representational goals are described in Exhibit No. 3 in the attached Exhibits to the Affirmation Action Plan.

	African Americans	Hispanics/ Latinx Americans	Native Americans	Asian Americans and Pacific Islanders	LGBTQ+	People with Disabilities	Youth
Percent in Democratic Electorate	1%	1%	1%	1%	12%	21%	20%
Numeric Goals for Delegation	1	1	1	1	4	7	7

4. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and Automatic) shall be compared with the Maine Democratic Party’s representation goals to achieve an at-large selection process that helps to bring about a representative balance. Rule 11.A)
5. Although the selection of the at-large delegation may be used to fulfill the affirmative action goals established by this Plan, the Maine Democratic Party will conduct outreach and inclusion activities such as recruitment, education and training at all levels of the delegate selection process. (Rule 6.A.3)

### C. 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 2019. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate and alternate candidates of the availability of financial assistance. These workshops will be held in places that are easily accessible to persons with 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 electorate. (Rule 3.A, Rule 3.C & Rule 3.D)
2. A speakers’ bureau of volunteers from the Maine Democratic Party, including the Affirmative Action Committee, shall be composed of individuals who are fully familiar with the process, and will be organized to appear before groups, as needed, to provide information concerning the process.

## Maine Delegate Selection Plan for the 2020 Democratic Convention

3. The Maine Democratic 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 Maine Democratic 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. As well, the Maine Democratic Party shall also make available copies of the Maine Democratic Party Charter, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan and Outreach and Inclusion Program, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the Maine Democratic Party and Affirmative Action Committee will distribute them in the various delegate districts not later Nov. 1, 2019. (Rule 1.H)
5. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded. (Rule 2.A)
6. The Maine Democratic Party shall take all feasible steps to encourage non-affiliated voters and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters wish to register or to change their party enrollment status. (Rule 2.C)
7. The Affirmative Action Committee will develop a Maine Democratic Party strategy to be implemented beginning Nov. 1, 2019 that will provide education programs directly to voters who continue to experience confusing timelines for registration, changing party affiliation deadlines, or lack of awareness of the process for running for delegate, to ensure that all Democratic voters understand the rules and timelines and their impact on voter participation. (Rule 4.B.5)

### D. EFFORTS TO PUBLICIZE THE DELEGATE SELECTION PROCESS

1. The Maine Democratic Party shall direct special attention to 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 Maine Democratic Party's communications and on the Maine Democratic Party's website. The Maine Democratic Party's organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that the meeting or event plays in the selection of delegates and alternates to the Democratic National Convention. (Rule 3.C & Rule 3.D)
2. The Maine Democratic Party shall have a Delegate Selection Media Plan (see Exhibit 2) for using all available and appropriate resources, such as social media, websites, newspapers, radio and television, to inform the general public how, when and where to participate in the delegate selection process. Specifically, the Delegate Selection Media Plan will provide details as to how to qualify to run as a delegate candidate. Regular updates should be posted/released throughout the state's delegate selection process to ensure broad and timely coverage and awareness about the process to all interested persons. (Rule 4.B.3 & Rule 6.D)
3. A priority effort, as described in the Delegate Selection Media Plan, shall be directed at publicity among the Democratic Party's constituencies.

## Maine Delegate Selection Plan for the 2020 Democratic Convention

- a. Information about the delegate selection process will be posted on and made available to social and specialty media directed toward the Democratic constituency groups set forth in the introduction of this Affirmative Action Plan and Outreach and Inclusion Program.
  - b. The Maine Democratic 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 municipal caucuses and the state convention shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups. (Rule 6.D)
4. Not later than Nov. 1, 2019 the Maine Democratic Party will make information about the delegate selection process available on its website and publicize the resource through press releases and communications to Party leaders, activists and targeted constituencies. Information to be posted on the website will include:
- a. materials designed to encourage participation and inform prospective delegate candidates;
  - b. a summary explaining the role of the 2020 Convention in nominating the Party's Presidential and Vice Presidential candidates and adopting the National Platform;
  - c. a summary of the State Party's delegate selection process including all pertinent rules, dates, and filing requirements related to the process; and
  - d. a map of delegate districts and how many delegates will be elected within each district, along with filing forms or information on how to obtain the filing forms.

### E. OBLIGATIONS OF PRESIDENTIAL CANDIDATES TO MAXIMIZE PARTICIPATION

1. Presidential candidates shall assist the Maine Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program (Rule 6.H)
2. Each presidential candidate must submit a written statement to the Maine Democratic Chair by December 1, 2019, which indicates the specific steps they will take to encourage full participation by their supporters in the Maine Democratic Party's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate pledged to the presidential candidate. (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 shall use their best effort to ensure that their respective delegates, alternates and standing committee members shall achieve the affirmative action goals reflected in the Affirmative Action Plan and Outreach and Inclusion Program and that the number of men and the number of women in their respective delegations shall not differ by more than one (as determined by gender self-identification). Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate, alternate, and standing committee candidates who meet applicable equal division and affirmative action considerations to promote and achieve the state's affirmative action, outreach and inclusion goals and equal division for their respective delegations. (Rule 6.C., Rule 6.I & Reg. 4.10)

## Maine Delegate Selection Plan for the 2020 Democratic Convention

### F. OUTREACH AND INCLUSION PROGRAM

1. The Maine Democratic Party is committed to help achieve full participation of those groups of Americans who have historically been explicitly denied the right to vote or who have been subjected to discriminatory and exclusionary practices that have denied them voting rights and full participation in the delegate selection process and other Party meetings, events and elections, along with other groups of Americans who are also underrepresented in Party affairs.
2. As such, the Maine Democratic Party has developed outreach and inclusion programs and is committed to fully implementing the programs so that all persons who wish to participate as Democrats understand they are welcome and encouraged to be a part of the delegate selection process and in the Party at the local, state and national levels.
3. The Maine Democratic Party will make accommodations to facilitate greater participation by people with disabilities. We have consulted with the disabled community in establishing the following minimum standards for accommodations. Outreach meetings, informational workshops and caucuses at all levels of the delegate selection process must be held in fully accessible locations. Before signing any contract with a venue, the Maine Democratic Party will conduct a site review of the facility to confirm that it is fully accessible. The Maine Democratic Party will work to make printed material available in alternative formats such as large print and electronic formats compatible with Braille embossers, if requested at least 10 days in advance. These materials include, but are not limited to, the Delegate Selection plan, explanations of the process, statement of candidacy forms, and ballots.

## SECTION IX

### CHALLENGES

#### A. JURISDICTION AND STANDING

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2020 Democratic National Convention* (Regs., Sec. 3), and the *Rules of Procedure of the Credentials Committee of the 2020 Democratic National Convention*. (Call, Appendix A)
2. Under Rule 21.B of the *2020 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 21.B)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge initiated more than 56 days before the commencement of the 2020 Democratic National Convention. (Call, Appendix A; Reg. 3.1)
4. Challenges to the credentials of delegates and alternates to the 2020 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 2020 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 2020 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought more than 56 days before the commencement of the Democratic National Convention. (Call VII.B.5)



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6. Copies of the *Regulations of the Rules and Bylaws Committee* and/or the *Call for the 2020 Democratic National Convention*, including the *Rules of Procedure of the Credentials Committee* (Appendix A), shall be made available by the Maine Democratic Party upon reasonable request.
7. Any group of 15 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 COMMITTEE AND CHALLENGES TO THE PLAN

1. Any challenge to the status of the Democratic State Committee as the body entitled to sponsor a delegation from Maine shall be filed with the Rules and Bylaws Committee not later than 30 calendar days before the initiation of the state's delegate selection process. That date is February 7, 2020. (Rule 21.A; Reg. 3.4.A)
2. Any challenge to Maine's Delegate Selection Plan shall be filed with the Chair of the Maine Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the Maine Democratic State Committee. (Reg. 3.4.B) A challenge to a subsequent revision to the plan shall be filed within 15 days after its publication on the Maine Democratic Party website.
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 VIII.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 Democratic State Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The Maine Democratic Party has 21 days to render a decision. Within 10 days after the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If the Maine Democratic 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 10 days after expiration of the above 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 caucus 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 30 days before 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

## Maine Delegate Selection Plan for the 2020 Democratic Convention

Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

### SECTION X

#### SUMMARY OF PLAN

##### A. SELECTION OF DELEGATES AND ALTERNATES

Maine will use a proportional representation system based on the results of the presidential primary for apportioning its delegates to the 2020 Democratic National Convention.

The “first determining step” of Maine’s delegate selection process will occur on March 3, 2020 with the presidential 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	16	0	May 30, 2020	State Convention, by caucuses of delegates pledged to their respective presidential candidates.
				Nomination by petition signed by 35 delegates to the State Convention from the district, submitted no later than May 15, 2020.
Automatic Party Leader and Elected Official Delegates*	8	n/a	Automatic by virtue of respective public or Party office as provided in Rule 9.A of the 2020 Delegate Selection Rules	
Pledged Party Leaders and Elected Officials (PLEOs)	3	**	May 30, 2020	State Convention
				Nomination by petition signed by 7 members of the Democratic State Committee submitted no later than May 15, 2020.
At-Large Delegates and Alternates	5	2***	May 30, 2020	State Convention
				Nomination by petition signed by 35 delegates to the State Convention submitted no later than May 15, 2020.
	<b>32</b>	<b>2</b>		

\* Automatic Party Leader and Elected Official (PLEO) delegates are the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members; the Democratic President and Vice President; all Democratic Members of Congress; the Democratic Governor; and any other Distinguished Party Leader as specified in Rule 9.A of the *2020 Delegate Selection Rules*. The exact number of Automatic PLEO Delegates is subject to change due to possible deaths, resignations, or elections.

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\*\* At-large alternates also serve as alternates for District-Level and Pledged PLEO delegates.

\*\*\* Additional Alternates if necessary to ensure that there is at least one Alternate for each presidential preference represented by a Delegate.

### B. SELECTION OF STANDING COMMITTEE MEMBERS (CREDENTIALS, PLATFORM, AND RULES COMMITTEES)

Maine's National Convention delegates will select one member for each standing committee at the delegation's organizational meeting, to be held by June 13, 2020. Presidential candidates will submit candidate lists by June 2, 2020.

### C. SELECTION OF DELEGATION CHAIR AND CONVENTION PAGES

The National Convention Delegates will select the Delegation Chair, and the State Democratic Chair will select two (2) Convention Pages, at the delegation's organizational meeting, to be held by June 13, 2020.

### D. SELECTION OF PRESIDENTIAL ELECTOR NOMINEES

Four Democratic nominees for Presidential Elector will be elected by the State Convention on May 30, 2020.

### E. PRESIDENTIAL CANDIDATE FILING DEADLINE

Presidential candidates must certify the names of their authorized representative(s) to the State Democratic Chair by February 7, 2020.

### F. TIMETABLE

Date	Activity
<b>2019</b>	
February 19	Delegate Selection Affirmative Action Committee members are appointed by the State Party Chair
March 2	Proposed Delegate Selection and Affirmative Action Plans are approved for public comment.
By March 31	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plan. Press releases are mailed announcing the public comment period.
April 30	Period for public comment on state Plan is concluded. Responses are compiled for review by the Maine Democratic State Committee.
May 19	Democratic State Committee reviews public comments and adopts revised Delegate selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
September 13	Maine Democratic Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media. Latest date by which copies of documents related to the state's delegate selection process must be distributed by the Affirmative Action Committee.
November 1	All information about the Delegate Selection Plan, including training materials, to be posted on the MDP website.  Maine Democratic Party deadline for notifying Sec. of State of a presidential primary contest. Maine Sec. of State makes presidential ballot petitions available to candidates.
December 21	Presidential primary candidate deadline to file petitions with Sec. of State's office.
<b>2020</b>	
February 7	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the Maine Democratic Party and submitting 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 information not later than 30 days after their announcement.)
February 7	Availability of petitions to run for delegate or alternate to the National Convention.
March 3	Presidential Primary

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Mar 1–5	Notice of Municipal Caucuses in papers of local circulation.
March 8	Municipal Caucuses.
May 15	Filing deadline for petitions to run for delegate or alternate to the Democratic National Convention at the State Headquarters.
May 20	State Party provides list of all candidates for pledged delegate and alternate to the Democratic National Convention to the respective Presidential Candidates.
May 22, Noon	Presidential candidates provide list of approved delegate and alternate candidates, subject to revision at State Convention after each category of delegates is elected.
May 29–30	Maine Democratic Convention.
May 30	Election of delegates and alternates to Democratic National Convention.
June 2	Presidential candidates present list of approved standing committee candidates.
By June 13	National Convention delegation meeting. Delegates select National Convention standing committees and delegation chair. Party Chair selects convention pages.
By June 16	Maine Democratic Party certifies to the Secretary of the Democratic National Committee the election of the pledged delegates and alternates and the presidential preference or uncommitted status of all delegates and alternates, including the automatic delegates.

## Exhibits to the Affirmative Action Plan

### Exhibit 1: Members of the Affirmative Action Committee

Name	Constituency
Maulian Dana	Native American
Ina Demers	AAPI
Gia Drew	LGBTQ+
Rep. Craig Hickman	African American/LGBTQ+
Safiya Khalid	African American/Youth
Julian H. Rogers	African American/LGBTQ+
Pat Washburn	People with Disabilities
Wayne Kinney	Chair
Kathleen Marra	MDP Chair

#### Biographies of Maine AAC members

**Maulian Dana** is an enrolled Tribal Citizen of the Penobscot Nation, one of the five Indigenous communities of Maine. She serves as their appointed Ambassador and in this position is the representative for the nation in local, state, and federal governments. She also does a lot of work with outreach and education as well as policy development and implementation. Prior to this role she was an elected member of the Tribal Council and a Human Resources Director for Penobscot Indian Nation Enterprises. She has 20 years' experience in activism and advocacy regarding the removal of harmful and stereotypical "Indian" mascots and has been active in the movement to rename Columbus Day Indigenous Peoples Day. Maulian has a BA in Political Science from the University of Maine and is the proud mother of two daughters.

**Patricia Washburn** is a board member of Maine Disability Voters. A former journalist, she lives in Portland and works from home as a technical writer and Web developer while managing her own mobility issues. She is a former member of the Maine Democratic Committee and the author of "Self-Care for Cats."

**Julian H. Rogers** is an Atlanta, GA native, who transplanted to Maine in 2011-12. My husband and I decided to locate in Ogunquit because of many practical needs for my business as a traveling antiques dealer.

In 2018, I was elected during caucus as Chair of the Ogunquit Democratic Town Committee and served as a delegate at the state Democratic Convention. During the 2108 election cycle, I worked with the Seacoast Democrats (York, Kittery, Berwick, Eliot, Ogunquit) to secure wins for the strong democrat slate of candidates. Our success was hugely satisfying, especially with the election of Janet Mills as Governor.

I proudly represent the African American and LGBTQ communities in southern Maine.

**Gia Drew** is Program Director at EqualityMaine where she's been on staff since 2014. As program director she oversees all education and training, rural outreach, and youth programming, as well as advocating for policies and laws that protect the LGBTQ+ community. She serves on multiple committees, including University of New England School of Social Work Community Advisory Group, Maine Health Access Foundation Community Advisory Committee, Maine Coalition Against Sexual Assault LGBTQ+ Advisory Board, Maine Democratic Party Affirmative Action Committee, and the Violence Prevention Network.

Gia earned degrees from Syracuse University and Savannah College of Art and Design and was a high school teacher and coach for twenty years. During that time she transitioned on the job becoming one of the first transgender public school teachers in Maine and the first transgender high school coach in the country. Originally from Boston, Gia has lived in Maine for nearly 20 years, and calls Kennebunkport home.

**Rep. Craig Hickman**, an organic farmer, small business owner, chef, poet and author, is serving his fourth term in the 129th Legislature. He is House Chair of the Joint Standing Committee on Agriculture, Conservation and

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Forestry, where he champions food sovereignty, food security, food freedom, food processing infrastructure investments, and other efforts to protect Maine's small family farms and promote rural economic development. Hickman is also House Chair of the Maine Citizen Trade Policy Commission, which plays a vital role in advising Congress and the President of the United States to keep the people of Maine's best interests at the forefront when negotiating international trade agreements that directly impact Maine's workers, Maine's heritage industries, Maine's manufacturing sector, and Maine's environment and natural resources.

Finally, Hickman is a senior member of the Joint Standing Committee on Veterans and Legal Affairs, which oversees voting rights, elections, campaign finance, liquor and cannabis regulations, landlord tenant relations, claims against the state, National Guard and veterans issues.

Inspired by his father, a World War II veteran, and his wise mother, Hickman has spent most of his life serving his community and feeding people. A past president and member of the Rotary Club of Winthrop and the Sons of the American Legion, he also serves on the MaineGeneral Prevention and Healthy Living Advisory Committee, University of Maine Augusta Board of Visitors, Winthrop Hot Meal Kitchen, and Winthrop Lakes Region Chamber of Commerce. In 2011, Hickman received a Spirit of America Foundation Award for Community Service. Hickman's award-winning memoir *Fumbling Toward Divinity* chronicles his search and reunion with his biological family. A critically acclaimed theatrical performance artist, he's a National Poetry Slam champion and the recipient of the James Baldwin Award for Cultural Achievement.

Hickman is the first openly gay African American in history to serve in the Maine House of Representatives. Originally from Milwaukee, Wisconsin, Hickman moved to New England to attend Harvard University, where he graduated with a bachelor's degree in government. He and his spouse, Jop Blom, live in Winthrop, where they own and operate Annabessacook Farm, a sustainable farm raising organic produce, dairy and livestock. They also host the Winthrop Community Gardens and a fresh food bank for anyone in need.

**Safiya Khalid** is a politician and activist from Lewiston, Maine. A graduate of Lewiston High School and the University of Southern Maine, Safiya serves as a member of both the executive committee and the state committee of the Maine Democratic Party, and as vice chair of the Lewiston Democratic Party.

As a clerk for the Joint Standing Committee on Labor and Housing in Augusta, Safiya is facilitating Maine's legislative process every day. Prior to her job at the state capitol, she worked as a field organizer for the Maine Democratic Party in Androscoggin County.

Safiya is proud to be a member of the Emerge Maine Class of 2019, and is committed to electing Democratic women across Maine now and in the future.

**Wayne Kinney**, the AAC chair, does not meet any of the representation goals, but has worked on delegate selection plans, affirmative action committees, and outreach plans since 2003. Until this cycle, his experience with the delegate selection process was in Oregon, where he served as a DNC member, state rules committee chair, and as a vice chair of the state party.

He retired from 21 years as staff to U.S. Sen. Ron Wyden, D-Oregon, and moved to Farmington, Maine in 2017. He is active with the Franklin County Democrats, and serves the Maine Democratic Party as a member of its rules committee, its executive committee, and as the MDP chair's parliamentarian.

**Indriani (Ina) Demers**, a Wiscasset resident and an active member of the Lincoln County Democrats Committee for many years, is a Chinese born in Indonesia, who immigrated to Bath, Maine in 1974. She is a long-time educator, currently an educator in Portland.

A very active member of the Lincoln County Democrats Committee (LCDC), was advised by LCDC's Chair, Christopher Johnson, to be on the Platform Committee and was elected Vice-Chair of the Platform Committee and was also a delegate at the Convention last year. This year, elected as an MDP Executive Committee Member, she

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was asked to be on the Affirmative Action Committee.

As an educator, I was always told that we don't get politically active, which was a grave error on my part to believe that!! Now I am mixing actively educating children with politics because I need to educate our children to become politically active to make sure that their future is not being dictated by certain powerful people to oppress their well beings, especially students who speak several languages, other than English

Having cultural competency is important for our children to grow their diversity.

In addition, she is also a very active/involved member of the Maine Education Association (MEA), since 2003, she has also been a member of the Human and Civil Rights and Cultural Affairs Committee, Educational Support Professionals, currently a member of the Resolutions Committee, an MEA Representative Assembly and the National Education Association Representative Assembly as well, representing Maine.

### **Exhibit 2: Media Outlets to be Contacted Regarding the Delegate Selection Process**

#### **A. Major media outlets**

##### 1. Print Media

###### Dailies:

- Portland Press Herald
- Lewiston Sun Journal
- Bangor Daily News
- Waterville Morning Sentinel
- Kennebec Journal (Augusta)
- Biddeford Journal Tribune
- Brunswick Times Record

Weeklies and similar local papers: 39 outlets identified

##### 2. Radio: 79 Stations

##### 3. Television

###### Eastern Maine

- WLBZ
- WABI
- WVII

###### Southern Maine

- WCSH
- WMTW
- WCBB
- WGME
- WPXT

###### Northern Maine

- WAGM

##### 4. Public Access and other community cable services

#### **B. Other Non-Minority Media Outlets**

##### 1. College Media

- 7 Community Colleges
- 7 Campuses of the University of Maine System

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Husson University  
 Beal College  
 College of the Atlantic  
 Bates  
 Unity  
 Colby  
 Bowdoin  
 St. Joseph's  
 University of New England  
 Maine Maritime Academy

2. Internet

Social media including, but not limited to, Twitter, Facebook, listservs, and message boards.

**C. Constituency and Specialty Media Outlets and Targeted Groups**

(Affirmative Action Committee is making ongoing efforts to identify additional targeted media)

Centro Latino Maine  
 Immigrant Legal Advocacy Project  
 Maine Council of Churches  
 Maine Civil Liberties Union  
 Maine Immigrant Rights Coalition  
 Maine People's Alliance  
 Mano en Mano (Hand in Hand) Latino Community in Washington County  
 NAACP Portland Branch  
 NAACP Bangor Branch  
 The M.A.I.N. Update  
 PROP  
 African Culture & Learning Center  
 Asian American Heritage Foundation  
 Franco-American Center  
 Somali Community Services of Maine  
 United Somali Women of Maine  
 Agencies for Aging  
 Colby Echo  
 Bowdoin Orient  
 Bates Student  
 Maine Campus (UMaine Orono)  
 Labor Council for Latin American Advancement

**Exhibit 3: Demographic Study and Analysis**

	<i>Percentage of Maine Population</i>	<i>Likely Democratic Voters</i>	<i>Goal for Delegation</i>
<b>Native American</b>	<b>1.7%</b>	<b>1+%</b>	<b>1</b>
<b>African American</b>	<b>1.8%</b>	<b>1+%</b>	<b>1</b>
<b>Hispanic/Latinx Americans</b>	<b>1.5%</b>	<b>1+%</b>	<b>1</b>
<b>Asian Am./Pacific Islander</b>	<b>1.6%</b>	<b>1+%</b>	<b>1</b>
<b>Youth (&lt;36)</b>	<b>19.5%</b>	<b>20%</b>	<b>7</b>
<b>LGBTQ+</b>	<b>8.9%</b>	<b>12%</b>	<b>4</b>
<b>Persons with Disabilities</b>	<b>21%</b>	<b>21%</b>	<b>7</b>



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### Representation Goals

1. The Maine Democratic Party has reviewed 2010 U.S. Census Bureau data, recent population estimates and polling data to identify likely Democratic voters in the 2016 Presidential election, in developing its best estimate of the demographic composition of African Americans, Hispanic/Latin Americans, Native Americans, Asian & Pacific Americans, The LGBTQ+ community, Youth, and People with Disabilities in Maine's Democratic electorate. These constituency percentages shall be established as inclusion goals for representation in Maine's National Convention delegation. Attached hereto as "Exhibit #3" is a demographic study and analysis, including the goals for representation. (Rule 6.A) The Maine Democratic Party will also continue making its best efforts to reach out to other underrepresented constituencies for which precise demographic statistics are not available and to ensure their fair representation and active participation. These constituencies include People of other ethnic backgrounds, Unorganized Workers, People with a high school diploma or less, People with disabilities, and People of low and moderate income.
2. The Maine Democratic Party has taken reasonable steps to determine the composition of members of the LGBTQ+ community and people with disabilities in Maine's Democratic electorate. At the suggestion of the Stonewall Democrats we have incorporated data from a 2012 national Gallup poll, which estimates the LGBTQ+ population of Maine at 8.9%. We then used a figure from the National Election Poll (NEP) conducted by Edison Research in 2012. This poll found that 76% of LGBTQ+ people supported Obama in 2012, and 69% supported Clinton in 2016. Based upon these numbers, we conclude that LGBTQ+ people make up 12% of the Democratic electorate in Maine.
3. The Maine Democratic Party reviewed data supplied by AbilityMaine, a support group for Persons with Disabilities. They claim that 21% of people in Maine have a disability. They also feel this is a low number because of the reticence of some people to self-identify as having a disability. As with the LGBTQ+ community, accurately determining the percentage of people with disabilities within the Democratic electorate is difficult, because available polling (including exit polls, media surveys, and internal polling) do not include crosstabs for respondents who reside in Maine and have a disability.
4. In 2016, 21% of Democratic voters were 36 or younger. In 2018, 18.1% were 36 or younger. That works out to a Youth representation goal of 20%.
5. When selecting the at-large portion of the delegation, the demographic composition of the rest of the delegation (district-level, pledged PLEO, and automatic) shall be compared with the Maine Democratic Party's goals in order to achieve an at-large selection process that helps to bring about a representative balance. To that end, information regarding priorities shall be provided before voting begins at county caucuses in an effort to educate State Convention delegates about party affirmative action goals and the demographic characteristics of the delegates who have already been chosen.
6. Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not diminish the need for the Maine Democratic Party to conduct outreach activities such as recruitment, education, and training, and to encourage Democrats from all demographic constituencies to participate in all aspects of the process. (Rule 6.A.(3))