

South Carolina Delegate Selection Plan And Affirmative Action Plan

For the 2004 Democratic
National Convention

Approved by the SCDP Executive Committee
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Table of Contents

	TITLE	PAGE
I.	Call to Convention	1
II.	Policy	1
III.	Schedule for Delegate Selection	3
IV.	Selection of Delegates and Alternates Summary	5
V.	Selection of Delegates and Alternates	7
VI.	Responsibilities and Rights of Presidential Candidates	13
VII.	Procedures for Qualifying for Delegates and Alternates	16
VIII.	Electing Delegates and Alternates to the Democratic National Convention	18
IX.	Certification of Delegates and Alternates to the National Convention	26
X.	Replacement of Delegates and Alternates to National Convention	26
XI.	Selection of Standing Committee Members	29
XII.	Selection of the Delegation Chair and Convention Pages	32
XIII.	Affirmative Action Plan	29
XIV.	Challenges	39

I. CALL TO CONVENTION

By authority of the Democratic State Executive Committee, the state convention of the South Carolina Democratic Party is hereby called to meet on Saturday, May 1, 2004, at the Cantey Building at the State Fairgrounds in Columbia, to elect a National Committeeman and a National Committeewoman, to adopt a State Democratic Party platform, to elect delegates and alternates to the Democratic National Convention to be held in Boston, Massachusetts, July 26—29, 2004, and to conduct such other business as it deems necessary and advisable.

II. POLICY

In preparing for the state convention, conducting the presidential primary, the precinct meetings, the county conventions, and other business relating to the activities of the South Carolina Democratic Party leading up to the state convention, the South Carolina Democratic Party Executive Committee hereby adopts the following policy to be followed and to be considered as guidance supplementary to the rules of the South Carolina Democratic Party and the laws of the State of South Carolina as presently written:

In order to insure that the South Carolina Democratic Party is an open party accessible to all who wish to associate with it in good faith and in order to insure that all Democrats will have a full, meaningful, and timely opportunity to participate, the Party states and emphasizes the six basic elements of openness:

1. All public meetings at all levels of the Democratic Party shall be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic, or physical disability hereinafter referred to as status.

2. No test for membership in or oath of loyalty to the Democratic Party shall 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 on the grounds of status.

3. The time and place for all public meetings of the Democratic Party on all levels shall be publicized fully and in such a 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.

4. The Democratic Party on all levels shall support the broadest possible registration without discrimination on grounds of status.

5. The Democratic Party shall 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 the Democratic Party officers and representatives on all levels. Publication of these procedures shall be done in such a fashion that prospective and current members of the 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.

6. The Democratic Party shall 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 officers and representatives of the state Democratic Party. Such publication should be done in a timely fashion so that all prospective candidates or applicants for any elected or appointed position within the state Democratic Party will have full and adequate opportunity to compete for office.

III. SCHEDULE FOR DELEGATE SELECTION

The items of business in Section I—Call to Convention. will be dealt with in precinct meetings and county conventions, as well as in the state convention.

The schedule will be:

DATE	ACTIVITY
<i>2003 Activity</i>	
March 1	Delegate Selection Affirmative Action Committee members are appointed by State Chair.
March 26	State Executive Committee approves draft of the Delegate Selection and Affirmative Action plans.
March 27	Public comments solicited on proposed Delegate Selection Plan. Press release issued. Plan advertised on SC Democratic Party web page.
April 26	Affirmative Action Committee meets to review proposed Delegate Selection and Affirmative Action plans.
April 27	Period for public comment on state plan completed. Responses compiled for review by the State Party Executive Committee.
April 29	State Party Executive Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plan. Press release issued.
May 1	Delegate Selection and Affirmative Action Plans forwarded to the DNC Rules and Bylaws Committee.
September 16	Implementation of Affirmative Action Plan begins. Press kits are sent to all state media.
October 1	County Chair provides County Convention date to State Party Headquarters
October 1	Presidential candidates must submit a written statement indicating steps that will be taken to encourage full participation in delegate selection. Also, County Democratic Parties set County Convention dates.
November 1	Petition form available at State Party Headquarters
December 19	State Party Chair notifies presidential candidates of primary filing requirements.
December 26 9:00 AM	Presidential candidates may begin to file with the Democratic Party of South Carolina to qualify for the primary.

2004 Activity

January 2 5:00 PM	Filing period for Presidential candidates closes. Also, Presidential candidates must certify the name of their authorized representative to the State Chair.
February 3	Presidential Primary
February 21 10:00 AM	Precinct Reorganization Meetings
March 6 to March 20	County Democratic Conventions—date to be set by each county’s Democratic Party Executive Committee no later than October 1, 2003.
April 5 5:00 PM	Pledged PLEO, Congressional District and At-large delegate or alternate candidate deadline to file a statement of candidacy and pledge of support forms with State Party Headquarters.
April 14 5:00 PM	The State Party Chair will convey to each Presidential candidate a list of all delegate or alternate candidates pledged to the candidate.
April 21 5:00 PM	Presidential candidate approval deadline for district-level, At-Large, and pledged PLEO delegate candidates.
May 1*	State convention convenes in Columbia. Congressional District caucuses elect Congressional District delegates. Unpledged add-on delegate candidates may file at the State Convention during the 30 minutes period after the election of Congressional District delegates. Pledged PLEO delegate candidates who have not already filed a pledge of support may do so at this time. State Party Chair transmits list to presidential candidates, who have 15 minutes to return a revised list of approved delegates. Unpledged add-on and pledged PLEO delegates elected. State convention elects At-large delegates and alternates.
May 4	The State Party Chair certifies the election of delegates and alternates in writing to the Secretary of the DNC.
May 7 5:00 PM	Presidential candidates submit names of candidates for standing committees to the State Party Chair.
May 8	National Convention delegates elect Delegation Chair and National Convention Standing Committee Members. State Party Chair names Convention Pages.
May 11	The State Party Chair certifies the election of the Standing Committee members, pages, and delegation chair in writing to the Secretary of the DNC.

* *Congressional District caucuses will be held at the State Convention.*

IV. SELECTION OF DELEGATES AND ALTERNATES SUMMARY

South Carolina will use a proportional representation system based on the results of a primary for apportioning its delegates to the 2004 Democratic National Convention. The "first determining step" of South Carolina's delegate selection process will occur on Tuesday, February 3, 2004.

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

Type	Delegates	Alternates	Date of Selection	Selecting Body/ Filing Requirements Deadlines
District Level <u>1/</u>	29	N/A	May 1	Congressional District Caucus/File with State party by April 5, 5:00 PM
Unpledged PLEO Delegates <u>2/</u>	9	N/A	N/A	Automatic
Unpledged Add-on Delegates <u>3/</u>	1	N/A	May 1	State Convention/ File with State Chair, no more than 30 minutes after election of District Delegates
Pledged Party Leaders and Elected Officials (PLEO) <u>4/</u>	6	N/A.	May 1	State Convention/ File with State party by April 5, 5:00 PM
At-large <u>5/</u>	10	7	May 1	State Convention/ File with State party by April 5, 5:00 PM
Total	55	7		

1/ For definition, see Section VIII.A.1.-5., pages 18-20

2/ For definition, see Section VIII.B.1., page 20

3/ For definition, see Section VIII.C., page 21

4/ For definition, see Section VIII.D.-E., pages 21-23

5/ For definition, see Section VIII.F., pages 23-24

A. Selection of Standing Committee Members (for the Credentials, Platform, and Rules Committees)

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

Members Per Committee	Total Members	Selection Date	Filing Requirements & Deadlines
2	6	May 8	Presidential Candidates must submit a list of approved names by May 7, 2004, 5:00 PM

B. Selection of Delegation Chair and Convention Pages

The Delegation Chair will be selected by the National Convention Delegates on May 8.

One male Convention Page and one female Convention Page will be selected by the State Democratic Party Chair on May 8.

C. Presidential Candidate Filing Deadline

Presidential candidates must certify the name of their authorized representative to State Democratic Party Chair by January 2, 2004, at 5:00 PM.

Presidential candidates must file with the South Carolina Democratic Party by January 2, 2004, at 5:00 PM in order to participate in the primary. Filing opens at 9:00 AM, December 26, 2004. A filing fee of \$2,500 is required.

V. SELECTION OF DELEGATES AND ALTERNATES

This Delegate Selection Plan provides the procedures for the selection of fifty-five (55) delegates and seven (7) alternates from South Carolina to the 2004 Democratic National Convention.

The delegate selection process is governed by the Charter and Bylaws of the Democratic Party of the United States, the Delegate Selection Rules for the 2004 Democratic National Convention ("Rules"), the Call for the 2004 Democratic National Convention ("Call"), the Regulations of the Rules and Bylaws Committee for the 2004 Democratic National Convention ("Regs."), the rules of the Democratic Party of South Carolina, the South Carolina Election Code, and this Delegate Selection Plan.

South Carolina'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 unpledged delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division.

At every level of the delegate selection process the following procedures will be adhered to so that the process will yield a delegation to the 2004 Democratic National Convention which fairly reflects the division of presidential preference among those who participate.

A. General Provisions

1. Qualifications for Delegates and Alternates

- a. Any delegate or alternate to the State Convention may place his/her name in nomination for a position as a delegate or alternate to the National Convention.
- b. Any delegate or alternate to the county convention may place his/her name in nomination for a position as a delegate or alternate to the State Convention.
- c. One does not have to attend the precinct meeting in order to be elected as a delegate or alternate, but must have voted in the Presidential Primary.

2. Other Provisions

- a. Participation is open to all voters who wish to participate as Democrats. All voters in the primary and all participants in the precinct meetings and caucuses shall sign the following statement prior to voting: "I do solemnly swear or affirm that I am a registered voter of this precinct, I consider myself to be a Democrat, and I have not participated in the 2004 Presidential nominating process of any other political party". There is no requirement that a voter shall have been registered for any minimum time prior to the precinct meetings. A voter must have been registered for 30 days prior to the primary.
- b. No person shall vote in more than one precinct or county meeting, which is the first meeting in the delegate selection process.
- c. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding elections.
- d. At no stage of South Carolina's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating (except for travel and lodging if selected as a delegate). Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.
- e. No voting shall be by secret ballot at any level of the delegate selection process.
- f. At every stage of the process above the precinct level, there shall be equal division between delegate men and women and between alternate men and women provided there may be a variance no greater than one. There may be an exception to this in a precinct where sufficient numbers of one sex are not present to fill the delegate slots allotted to that sex.
- g. 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.

h. Delegates elected to the national convention pledged to a presidential candidate shall in all conscience reflect the sentiments of those who elected them.

i. 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.

j. An accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, may register a nontransferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement) provided that no individual may hold more than three (3) proxies at one time.

k. The unit rule, or any other 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.

l. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.

m. In electing and certifying delegates and alternates to the 2004 Democratic National Convention, South Carolina undertakes to assure all Democratic voters in the state full, timely, and equal opportunity:

-- To participate in the delegate selection process, in all Party affairs, and to implement affirmative action programs toward that end.

-- To ensure that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2004 Democratic National Convention and that the voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention.

-- To guarantee electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States, and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees for the Democratic National Convention.

n. All steps of the delegate selection process will take place during 2004, except those related to the implementation of the Affirmative Action Plan.

o. All delegates, alternates, and standing committee members must be the 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 the Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.

B. Procedures for Selecting Delegates and Alternates to the County and State Conventions

1. Prior to the precinct reorganization meetings, each county party's Executive Committee shall determine the number of delegates to be elected by each precinct to the County Convention. Under South Carolina State Law each precinct is entitled to one delegate for each twenty-five(25) voters, and major fraction thereof, in the first primary of the preceding general election year in that precinct, or one for each 25 votes, and major fraction, for the Democratic electors in the last election for President.

2. Prior to the precinct reorganization meetings, the state party shall notify each county party of the number of delegates that the county may elect to the State Convention. (Under South Carolina State Law, each county is entitled to one delegate for each 6000 residents, according to the latest U.S. census, plus two (2) additional delegates.) These numbers will be doubled and the delegates given half votes.

3. A county Democratic Party with so many convention participants that electing delegates and alternates county wide or congressional district wide is unwieldy may adopt a process for electing its delegates and alternates to the State Convention which divides the participants into

smaller units. These smaller units must be based on either number of registered voters or Democratic voting strength. Affirmative Action requirements and equal division shall be adhered to and there can be no single member districts. Any filing requirements adopted by a county party must be well publicized, including announcements at the precinct meetings. No county's delegate selection process may in any way conflict with Party Rules, State Law or this Delegate Selection Plan. Any such process must be adopted by that county party's Executive Committee prior to the County Convention.

4. For the election of alternates at the County level to the State Convention, the same process as used to elect delegates will be repeated.

5. For the purpose of electing delegates and alternates to the State Convention, several county conventions must divide into Congressional District Caucuses. The following chart indicates these counties and the number of delegates to be elected in each Congressional District. These numbers are half votes. In those counties containing two Congressional Districts, county conventions must divide into Congressional District caucuses for the purpose of electing delegates to the State Convention.

County	Delegates by Congressional District
Aiken	2nd CD — 10 3rd CD — 42
Berkeley	1st CD — 40 6th CD — 12
Calhoun	2nd CD — 4 6th CD — 6
Charleston	1st CD — 92 6th CD — 18
Dorchester*	1st CD — 29 6th CD — 7
Florence*	5th CD — 5 6th CD — 41
Georgetown	1st CD — 16 6th CD — 6
Laurens	3rd CD — 26 4th CD — 2

Lee*	5th CD — 9 6th CD — 1
Orangeburg	2nd CD — 8 6th CD — 26
Richland	2nd CD — 70 6th CD — 40
Sumter	5th CD — 16 6th CD — 22

** In those counties containing two Congressional Districts electing an odd number of delegates, a drawing will be held between the temporary Congressional District chairs to determine the gender of the odd numbered delegate to achieve overall equal division of that county's delegation to the State Convention except that in Lee County, the single delegate from the 6th Congressional District shall be elected without regard to gender and the 5th Congressional District caucus shall elect the remaining 9 delegates in such a manner as to achieve equal division of the Lee delegation as a whole.*

6. Replacement of County and State Convention delegates and alternates will be accomplished in the following manner:

a. A delegate who is to be absent or resigns will select from the alternates of his or her Congressional District and county (if possible), the particular alternate who shall take his or her place.

b. If, due to death, absence, or disability, a delegate is unable to select the alternate to take his or her place, that selection shall be made by the delegation in a manner which assures that the alternate will be of the same sex and political subdivision as the delegate replaced.

c. A vacant alternate position shall be filled by the delegation and the replacement shall be of the same sex and, if possible, from the same political subdivision.

7. The election of delegates at each level shall be handled in such a way that the process is open to every delegate and each person can vote at the county and state level. To ensure that there are no secret ballots, if paper ballots are used, each ballot will be signed by the delegate. Unsigned ballots will not be counted.

VI. Responsibilities and Rights of Presidential Candidates

A. Filing by Candidates for President

1. A presidential candidate gains access to the South Carolina ballot by filing a statement of candidacy with the South Carolina Democratic Party. Filing opens at 9:00 AM, Friday, December 19, 2003. A filing fee of \$2,500 is required. Filing must be completed by 5:00 PM, Friday, January 2, 2004. No one may gain access to the South Carolina ballot unless he or she is a registered voter, is legally qualified to hold the office of President of the United States, and is entitled to obtain delegates to the 2004 Democratic National Convention.

2. Each presidential candidate shall certify in writing to the State Democratic Party Chair the name of her or his authorized representative by 5:00 PM, Friday, January 2, 2004.

3. Each presidential candidate shall use his or her best efforts to ensure that her or his respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women. (See XIII.A.6.-a,b,c of this plan)

4. In order to insure that participants in the delegate selection process can be fully informed and in order to insure a more orderly process, the following procedures are adopted by which presidential candidates may qualify to seek and obtain delegates to the 2004 Democratic National Convention.

a. No later than December 19, 2003, the State Chair shall send to all known, declared, or potential candidates and the Democratic National Committee a certified letter informing said persons that they may register their desire to seek and obtain delegates from South Carolina.

b. Above letter will include as enclosures an envelope addressed to the South Carolina Democratic Party and a filing form.

c. This filing form must be signed by the candidate, witnessed and returned to the Chair of the South Carolina Democratic Party at the State party Headquarters in Columbia between December 19, 2003 and January 2, 2004.

d. The returned filing form must be accompanied by a registration fee of \$2,500.

e. The State Democratic Party will give adequate publicity in order that all participants in the delegate selection process are fully informed of those who are eligible to receive delegate votes.

f. No person may receive or obtain pledged delegates at any level of the process unless he or she has complied with this requirement, provided, however, that a candidate may, instead of paying the filing fee, submit a petition containing the names of no fewer than 3,000 registered voters in South Carolina who consider themselves Democrats. A form for this petition will be available by November 1, 2003 at State Democratic Party Headquarters, 1517 Blanding Street, Columbia, SC. This petition must be filed no later than January 2, 2004.

Nothing herein shall be deemed to preclude a participant or delegate from adopting or maintaining an uncommitted status.

B. Presidential Candidate Right of Approval

1. The State Democratic Party Chair shall convey to the presidential candidate, or that candidate's authorized representative, not later than 5:00 PM on April 14, 2004, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate.

2. Each presidential candidate, or that candidate's authorized representative must then file with the State Democratic Party Chair, by April 21, 2004, a list of all such candidates she or he has approved, provided that, at a minimum, three names remain for every Congressional District National Convention Delegate position and two names remain for each At-large or PLEO national convention delegate and/or alternate position to which the presidential candidate is entitled. Approval is to be given to at least three (3) times the number of candidates for delegate men and three (3) times the number of candidates for delegate women; and three (3) times the number of candidates for alternate men and three (3) times the number of alternate women selected, keeping in mind the requirement that no more than half of the delegates from any Congressional District may be from the same county.

3. Failure to respond will be deemed approval of all district-level delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative signifies otherwise in writing to the State Democratic Party Chair not later than April 21, 2004.

4. National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate may not be elected at that level as a delegate or alternate pledged to that presidential candidate.

5. Presidential candidate review of newly pledged PLEO candidates shall occur after the selection of district-level delegates at the convention. They may review the list of candidates for At-large delegate and alternate after all other delegates have been selected.

VII. Procedures for Qualifying for Delegates and Alternates to the National Convention

A. Any delegate or alternate to the State Convention who is a resident of the appropriate Congressional District may place his or her name in nomination for Congressional District delegate by filing a statement of candidacy designating their presidential preference and a signed pledge of support for the presidential candidate at the State Party Headquarters at 1517 Blanding Street in Columbia by 5:00 PM, Monday, April 5, 2004. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. The statement of candidacy may also be filed by fax at 803-765-1692.

B. Any delegate or alternate to the State Convention can qualify as a candidate for a position as an At-large Delegate or At-large Alternate by filing a statement of candidacy designating her or his presidential preference, a signed pledge of support for the presidential candidate favored and the signatures of at least ten delegates to the State Convention at the State Democratic Party Headquarters, 1517 Blanding Street in Columbia by 5:00 PM, Monday, April 5, 2004 or by fax at 803-765-1692. No delegate shall sign more than one such petition. In the case of two or more petitions submitted bearing duplicate signatures, only the signature on the first petition received will qualify. In the case of petitions that are enclosed in an envelope for delivery, there may be no more than one petition per envelope. Any person wishing to run for an At-large delegate slot may, instead of submitting a petition, pay a filing fee of \$50.00 at the time of filing. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. The fax number for filing is 803-765-1692.

C. Any delegate or alternate to the State Convention who meets the criteria outlined in Section VIII.C.2 of this Plan may qualify as a candidate for Pledged Party and Elected Official Delegate by filing a statement of candidacy designating presidential preference at the State Democratic Party Headquarters at 1517 Blanding Street in Columbia by 5:00 PM, Monday, April 5, 2004. The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250. The fax number for filing is 803-765-1692.

D. The statement of candidacy and pledge of support for At-large delegates and/or for At-large Alternates will be the same. After the

delegates are elected those persons not chosen will then be considered candidates for alternate positions unless they specify otherwise when filing.

E. No statement of candidacy (except as stated in F. below) will be accepted for any reason after 5:00 PM on Monday, April 5, 2004. It is the responsibility of those wishing to run for delegate positions to ascertain, by contacting State Democratic Party Headquarters prior to the deadline, whether their statements of candidacy and petitions (or checks) have been received, and whether their petition signatures are valid. No candidates for delegate or alternate will be added to the list for any reason after 5:00 PM, Monday, April 5, 2004 nor will any person be allowed to run for a slot allotted to a Presidential candidate other than that candidate to whom she/he has pledged support.

F. If persons eligible for pledged Party Leader and Elected Official delegate positions have not already made known their presidential preference, they must do so by filing a pledge of support with the state party at the state convention on May 1, 2004, within 30 minutes after the selection of Congressional District delegates.

G. No electronic mail filing will be accepted.

VIII. ELECTING DELEGATES AND ALTERNATES TO THE DEMOCRATIC NATIONAL CONVENTION

A. Congressional District Delegates

1. South Carolina is allocated 29 Congressional District delegates to be elected by presidential preference caucuses within district-level caucuses at the state convention. Participants in Congressional District Caucuses must sign a pledge of support for a presidential candidate in order to vote for delegates allocated to that candidate.

2. District-level delegate positions will be allocated to presidential preferences through a proportional representation system based on a primary occurring on Tuesday, February 3, 2004.

a. South Carolina's District delegates are apportioned among the Congressional Districts based on a formula giving equal weight to the vote for the Democratic candidates in the most recent presidential and gubernatorial elections.

b. The state's total number of Congressional District delegates will be equally divided between men and women.

c. No more than one-half of the delegates elected in a Congressional District caucus containing parts of more than three counties shall be from the same county.

d. The District delegates are apportioned to Districts as indicated in the following chart:

Congressional District	Male Delegates	Female Delegates	Total Delegates
1	2	2	4
2			5
3	2	2	4
4	2	2	4
5	3	3	6
6	3	3	6
Total			29

3. District-Level Delegate Filing Requirements (See Section VII of this Plan)

a. All delegate candidates must be identified as to presidential preference.

b. A district-level delegate candidate may run for election only within the district in which he or she is registered to vote.

4. Fair Reflection of Presidential Preference

a. Primary/Convention – Proportional Representation Plan

South Carolina is a primary/convention state. Accordingly, delegates and alternates shall be allocated so as to fairly reflect the expressed presidential preference of the primary voters in each Congressional District. Therefore, the national convention delegates elected at the District level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a fifteen percent (15%) threshold at the Congressional District primary level shall not be awarded any delegates or alternates.

b. Within a District, if no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be the percentage of the vote received in that District by the front-runner minus ten percent (10%).

5. Equal Division of District-Level Delegates

a. In order to ensure the district-level delegates are equally divided between men and women, delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions, alternating by sex as mathematically practicable, will continue with the next highest vote-getting preferences in descending order until the gender of each position has been assigned.

b. The gender of the first position to be filled by the winning presidential candidate will be determined by drawing lots. The remaining delegate positions will be assigned to the presidential preference(s), in order of vote won, alternating by gender, once the allocation of district delegates among presidential preference (s) has been calculated. These determinations will be made on April 2, 2004.

c. In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given to other groups by virtue of race/ethnicity, age, sexual orientation or disability.

B. Unpledged Delegates

Unpledged Party Leaders and Elected Officials

1. The following categories (if applicable) shall constitute the unpledged Party Leaders and Elected Official delegate positions:

a. Members of the Democratic National Committee who legally reside in the state;

b. All of South Carolina's Democratic Members of the U.S. House of Representatives and the U.S. Senate;

c. "Distinguished Party Leader" delegates who legally reside in the state. These include the former chairs of the Democratic National Committee.

2. The certification process for the unpledged nine Party Leader and Elected Official delegates is as follows:

a. Not later than March 1, 2004, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Party Chair the names of the unpledged delegates who legally reside in South Carolina.

b. Official confirmation by the Secretary shall constitute verification of the unpledged delegates from the categories indicated above.

C. Unpledged Add-On Delegates

South Carolina will select one unpledged add-on delegate.

The procedures to be used in selecting the one unpledged add-on delegate will be as follows:

1. Selection of the unpledged add-on delegate will occur on May 1, 2004, at the State Convention, immediately after the election of district delegates and prior to the selection of the pledged Party Leader and Elected Official delegates. The election will be by the Convention as a whole.
2. Persons wishing to run for this slot must file with the State Chair or his/her designee at the State Convention no later than thirty minutes after the election of district delegates
3. Should fewer than two (2) people file for this delegate slot, additional persons will be nominated by the Democratic National Committeeman and Committeewoman.
4. This delegate will be selected by the state convention, which is the same selecting body used to select the pledged Party Leader and Elected Official and At-large delegates and alternates.
5. The affirmative action provisions of Rule 9.A. (Delegate Selection Rules for the 2004 Democratic National Convention) apply to the selection of this unpledged add-on delegate.
6. Unpledged add-on delegate candidates may be selected whether or not they previously filed a statement of candidacy for a delegate position or submitted a pledge of support for a presidential candidate.

D. Pledged Party Leader and Elected Official (PLEO) Delegates

South Carolina is allotted six pledged Party Leader and Elected Official (PLEO) delegates.

Pledged PLEO Delegate Filing Requirements

1. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: state-wide elected official (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local (not precinct) elected officials and party leaders. Big city (Columbia and Charleston) mayors are to be given equal consideration with state-wide elected officials pursuant to DNC Rule 8 C.1. and Reg. 4.15.

2. An individual can qualify as a candidate for a position as a pledged PLEO delegate by filing a statement of candidacy at the State Democratic Party Headquarters at 1517 Blanding Street in Columbia by 5:00PM, Monday, April 5, 2004, The mailing address for filing is South Carolina Democratic Party, Attn: Convention Delegate, P.O. Box 5965, Columbia, S.C. 29250.

3. Pledged PLEO delegate candidates must be identified as to presidential preference. If persons eligible for pledged Party Leader and Elected Official delegate positions have not already made known their presidential preference, they must do so by filing a pledge of support with the state party at the state convention on May 8, 2004, within 30 minutes after the selection of district-level delegates.

E. Selection of Pledged Party Leader and Elected Official Delegates

1.. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the At-large delegates.

2. Selection of the pledged PLEO delegates will occur on May 1, 2004, at the State Convention after the election of district-level delegates and the unpledged add-on delegates and prior to the selection of At-large delegates and alternates.

3. These delegates will be selected by the state convention. The entire convention will caucus according to presidential preference with each caucus electing the number of PLEO delegates to which it is entitled. These delegates will be apportioned in the same manner as the At-large delegates. The state convention as a whole will ratify the PLEO delegates.

4. The pledged PLEO delegates do not have to be equally divided between men and women, but must include women and African Americans.

5. Alternates are not selected at the pledged Party Leader and Elected Official level.

F. At-large Delegates and Alternates

The state of South Carolina is allotted ten At-large delegates and seven At-large alternates.

Selection of At-large Delegates and Alternates (See Section VII of this plan.

1. At-large delegate and alternate positions shall be allocated among presidential preferences according to the division of preferences expressed among primary voters statewide. b. Preferences which have not attained a fifteen percent (15%) threshold on a statewide basis shall not be entitled to any At-large delegates. If no presidential preference reaches a fifteen percent (15%) threshold, the threshold shall be the percentage of the statewide vote received by the front-runner, minus ten percent (10%).

2. The statement of candidacy for At-large delegates and for At-large alternates will be the same. After the At-large delegates are elected by candidate caucuses at the State Convention, those persons not chosen will then be considered candidates for At-large alternate positions unless they specify otherwise when filing.

3. The selection of the At-large delegates and alternates will occur at the State Convention immediately after all unpledged delegates and pledged Party Leader and Elected Official delegates have been selected. These delegates and alternates will be elected in the same manner as the pledged PLEO delegates.

4. In the selection of the At-large delegation, priority of consideration shall be given to African Americans and women, if necessary, to achieve Affirmative Action goals. The election of At-large delegates and alternates shall be used, if necessary, to achieve equal division of positions between men and women, and may be used to achieve the representation goals established in the Affirmative Action section of this Plan. Delegates and alternates are to be considered separate groups for this purpose.

5. If a presidential candidate is no longer a candidate at the time of selection of the At-large delegates, then those At-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation.

6. If a given presidential preference is entitled to one or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one At-large alternate position.

IX. CERTIFICATION OF DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION

The State Democratic Party Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's delegates and alternates to the Democratic National Convention within three (3) days after their election.

X. REPLACEMENT OF DELEGATES AND ALTERNATES TO NATIONAL CONVENTION

A. A pledged delegate or alternate may be replaced according to the following guidelines:

1. Permanent Replacement of a Delegate -

a. A permanent replacement occurs when a delegate resigns or dies prior to and during the National Convention and the alternate replaces the delegate for the remainder of the National Convention.

b. Any alternate permanently replacing a delegate shall be of the same presidential preference and sex as the delegate she/he replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate.

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

(2) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite sex thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C (Delegate Selection Rules for the 2004 Democratic National Convention). In such a case, notwithstanding Rule 17.D.(2) (Delegate Selection Rules for the 2004 Democratic National Convention), the National Convention delegation shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women.

2. Temporary Replacement of a Delegate

a. 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.

b. Any alternate who temporarily replaces a delegate must be of the same presidential preference as the delegate he/she replaces, and to the extent possible shall be of the same sex and from the same political subdivision within the state as the delegate.

3. Permanent and temporary replacement of a delegate shall be by the alternate who receives the highest number of votes.

4. Certification of Replacements

a. Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the Democratic National Committee by the State Democratic Party Chair.

b. Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State Democratic Party Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected.

c. Certification of permanent replacements will be accepted by the Secretary up to 48 hours before the first official session of the Convention is scheduled to convene.

d. In the case where a pledged delegate is permanently replaced after 48 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet.

5. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference, of the same sex and, to the extent possible, from the same political subdivision as the alternate being replaced.

B. Unpledged delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following conditions:

1. Members of Congress shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such

changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate.

2. Members of the Democratic National Committee and unpledged add-on delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2004 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of unpledged delegates.

3. In no case may an alternate cast a vote in the place of an unpledged PLEO or Add-on delegate on the floor of the Democratic National Convention.

XI. SELECTION OF STANDING COMMITTEE MEMBERS

A. Introduction

1. South Carolina has been allocated two members on each of the three standing committees for the 2004 Democratic National Convention (Credentials, Platform, and Rules), for a total of six members.
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2004 Democratic National Convention.

B. Selection of Members

1. Selection Meeting

- a. The members of the standing committees shall be elected by a quorum of South Carolina's National Convention delegates, at a meeting to be held on Saturday, May 8, 2004.
- b. A quorum shall consist of forty percent (40%) of the state's delegates to the National Convention.
- c. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the standing committee members.

2. Allocation of Members

- a. The members of the standing committees allocated to South Carolina shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the At-large apportionment pursuant to Rule 12.E. of the Delegate Selection Rules for the 2004 Democratic National Convention.
- b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to South Carolina. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the

standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two positions, etc.

- c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position.

- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions.

3. Presidential Candidate Right of Approval

- a. Each presidential candidate, or that candidate's authorized representative, 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.

- b. Each presidential candidate, or that candidate's authorized representative, must submit to the State Democratic Party Chair by 5:00 PM, Friday, May 7, 2004, a minimum of one name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members submitted by the presidential candidates. Presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members of standing committees.

4. Selection Procedure to Achieve Equal Division

- a. Presidential candidates shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve South Carolina's affirmative action goals and that their respective members are equally divided between men and women.

b. Each position on each standing committee shall be assigned by gender. For example, the first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a male, the second position for a female, and the remaining positions shall be designated in like fashion, alternating between males and females. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by sex, the designation shall continue with the Platform Committee, then the Rules Committee.

(1) A separate election shall be conducted for membership on each standing committee.

(2) The membership of the standing committees shall be as equally divided between men and women.

(3) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate sex.

5. Certification and Substitution

a. The State Democratic Party Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three days after their selection.

b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three days after the substitute member is selected.

XII. SELECTION OF THE DELEGATION CHAIR AND CONVENTION PAGES

A. Introduction

South Carolina will select one person to serve as Delegation Chair and two to serve as Convention Pages.

B. Delegation Chair

1. Selection Meeting

a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on Saturday, May 8, 2004.

b. A quorum shall consist of forty percent (40%) of the state's delegates to the National Convention.

c. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair.

2. The State Democratic Party Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three days after his or her selection.

C. Convention Pages

Two individuals will be selected to serve as South Carolina's Convention Pages by the State Democratic Party Chair in consultation with the members of the Democratic National Committee persons from the state. This selection will take place Saturday, May 8, 2004.

2. The Convention Pages shall be as evenly divided between women and men as possible under the state allocation and shall reflect as much as possible, the Affirmative Action guidelines in the Affirmative Action Plan.

3. The State Democratic Party Chair shall certify the individuals to serve as South Carolina's Convention Pages in writing to the Secretary of the Democratic National Committee within three days after the selection. This certification shall be made not later than the time the state certifies its standing committee members.

XIII. AFFIRMATIVE ACTION PLAN

A. Introduction

1. All public meetings at all levels of the Democratic Party in South Carolina should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status, or physical disability (hereinafter collectively referred to as "status").

2. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by South Carolina.

3. Discrimination on the basis of "status" in the conduct of Democratic Party affairs is prohibited.

4. In order to achieve full participation by groups that are significantly under-represented in our party's affairs, South Carolina has developed party outreach programs.

a. Such programs include recruitment, education, and training, in order to achieve full participation by such groups in the delegate selection process and at all levels of party affairs for 2004.

b. As part of these programs, outreach will be directed at all Democratic constituencies, including groups such as ethnics, youth, persons over 65 years of age, lesbians and gay men, workers, persons with a high school education or less, persons with physical disabilities, and persons of low- and moderate income.

5. In order to encourage full participation by all Democrats in the delegate selection process and in all party affairs, the South Carolina Democratic Party has adopted and will implement affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women.

a. The goal of the affirmative action programs shall be to encourage participation in the delegate selection process and in party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate.

b. This goal shall not be accomplished either directly or indirectly by the party's imposition of mandatory quotas at any level of the delegate selection process or in any other party affairs.

c. The South Carolina Democratic Party has determined the demographic composition of the state's Democratic electorate based on the 2000 U.S. Census and will use these percentages in the development of representation goals.

	African Americans	Under 30
% Electorate	40%	10%
Numeric Goals	22	5

6. Presidential candidates shall assist the South Carolina Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan.

a. Each presidential candidate must submit a written statement to the State Democratic Party Chair by October 1, 2004 which indicates the specific steps he or she will take to encourage full participation in South Carolina's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate.

b. Each presidential candidate must submit demographic information with respect to all candidates for delegates and alternates 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.

c. Presidential candidates shall use their best effort to ensure that their respective delegations within the state's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and that the respective delegations of each presidential candidate shall be equally divided between women and men. Furthermore, presidential candidates shall use their best efforts at the district-level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective delegations.

7. Implementation of the Affirmative Action Plan shall begin on September 16, 2003, with the distribution of press kits, and will continue through the end of the process.

A. Organizational Structure -- Affirmative Action Committee

1. An Affirmative Action Committee shall be appointed by the State Democratic Party Chair on March 1, 2003.

2. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan.

3. The Affirmative Action Committee shall be responsible for:

a. Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Party Chair.

b. Directing the implementation of all requirements of the Affirmative Action section of this Plan.

c. Implementing a financial assistance program for delegates and alternates. In carrying out this responsibility, the Affirmative Action Committee shall:

(1) Encourage the participation and representation of persons of low and moderate income;

(2) Advise prospective delegates and alternates in a timely manner of the role and mandate of this Affirmative Action Committee;

(3) Receive requests for financial assistance from delegates and alternates otherwise unable to participate in the National Convention;

(4) Prepare specific information for all delegates and alternates as to how and where to seek financial assistance to defray expenses to the National Convention. This information may include lists of groups or organizations willing to help, and fund raising ideas;

(5) Advise the State and County Democratic Parties on how to plan and conduct the fund raising events or solicitations necessary to supplement other efforts;

(6) Ensure, on behalf of the State Democratic Party, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian/Pacific Americans and women.

d. Of the \$2,500 filing fee to be paid by each Presidential candidate seeking delegates in South Carolina, \$250 will go into the fund used for financial assistance to delegates.

e. A portion (to be determined by the State Party Executive Council) of the filing fees paid in place of petitions by candidates for delegate will be placed in the financial assistance fund.

4. Financial and staff support for the Affirmative Action Committee shall be provided by the State Democratic Party to the greatest extent feasible, including, but not limited to, the state party staff and volunteers and all reasonable costs incurred in carrying out this plan.

C. Implementation of the Plan

1. Publicity

a. Special attention shall be directed at publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process and where to get additional information. The foregoing information will also be published in the state party newspaper. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the Democratic National Convention.

b. Newspapers, radio and television will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a delegate candidate. Special effort shall be directed to the major daily newspapers, radio and television stations by the State Democratic Party Chair, Affirmative Action Committee members, and staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage.

c. A priority effort shall be directed at publicity in minority newspapers and radio stations, ethnic press, radio stations, and publications, and women's organizations, student newspapers and any other special media in the state that is likely to reach the Democratic constituency groups set forth in the Introduction of this Affirmative Action Plan. The State 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 caucuses, conventions, meetings, etc. shall be effectively publicized, to encourage the participation of minority groups. Bilingual publication of information about the delegate selection process will be provided, as needed, to encourage the participation of minority groups.

d. Not later than September 16, 2003, a press kit shall be made and provided to each daily and weekly newspaper as well as to the electronic media. The press kit will include:

(1) a summary of all pertinent rules related to the state's delegate selection process;

(2) a map of delegate districts and how many delegates will be elected within each district;

(3) a summary explaining the operation and importance of the 2004 Convention; and

(4) materials designed to encourage participation by prospective delegate candidates.

2. Education

a. Well publicized educational workshops will be conducted in each of the delegate districts beginning in September 2003. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate candidates of the availability of financial assistance. These workshops will be held in places which are easily accessible to persons with physical disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting populace.

b. A speakers bureau of volunteers from the Affirmative Action Committee comprised of individuals who are fully familiar with the process, will be organized to appear before groups as needed, to provide information concerning the process.

c. The State 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; an explanation of how, where and when persons can register to vote; and delegate district maps. As well, the State party shall also make available copies of the State party Rules, the Delegate Selection Plan, the Affirmative Action Plan, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than December 1, 2003.

d. The state party shall take all feasible steps to encourage persons to register and vote as Democrats and will seek to ensure simple and easy registration procedures.

3. Representation Goals

a. The State Democratic Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian/Pacific Americans in the state's Democratic electorate. These constituency percentages shall be established as goals for representation in the state's convention delegation.

b. When selecting the At-large portion of the delegation, the demographic composition of the other delegates (District-level, pledged PLEO, and unpledged) shall be compared with the State Democratic Party's goals in order to achieve an At-large selection process which helps to bring about a representative balance. Priority of consideration will be given to women and African Americans in the selection of the At-large delegation if necessary to reach Affirmative Action goals.

c. Use of the At-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Democratic Party to conduct outreach activities such as recruitment, education and training.

XIV. CHALLENGES

A. Introduction

1. Jurisdiction

a. Challenges related to the delegate selection process are governed by the Regulations of the DNC Rules and Bylaws Committee for the 2004 Democratic National Convention (Regs. Sec. 3.), and the "Rules of Procedure of the Credentials Committee of the 2004 Democratic National Convention."

b. Under Rule 19.B. of the Delegate Selection Rules for the 2004 Democratic National Convention, 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.

c. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided that it is initiated before the 56th day preceding the date of the commencement of the 2004 Democratic National Convention.

d. Challenges to the credentials of delegates and alternates to the 2004 Democratic National Convention initiated after the 56th day preceding the date of commencement of the Democratic National Convention shall be processed in accordance with the "Rules of Procedure of the Credentials Committee of the 2004 Democratic National Convention."

e. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the Call for the 2004 Democratic National Convention. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention.

f. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2004 Democratic National Convention, including the Rules of Procedures of the Credentials Committee (Appendix A), shall be made available by the State Democratic Party upon reasonable request.

2. Standing: Any group of fifteen Democrats with standing to challenge as defined in Reg. 3.2 or the Call (Appendix A, Sec. 2.A.), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

B. Challenges to the Status of the State party and Challenges to the Plan

1. A challenge to the status of the state party committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than thirty (30) calendar days prior to the initiation of the state's delegate selection process.

2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the South Carolina Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within fifteen (15) calendar days after the adoption of the Plan by the State Democratic Party.

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 XIV. 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.

2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Democratic Party and with the Rules and Bylaws Committee not later than fifteen (15) days after the alleged violation occurred. The State Democratic Party has twenty-one (21) days to render a decision. Within ten (10) days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the state party renders no decision, any party to the challenge may request the Rules and Bylaws

Committee to process it. The request must be made within ten (10) days after expiration of the above twenty-one (21) day period.

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 Democratic Party has adopted and implemented an approved affirmative action program, the State Democratic Party shall not be subject to challenge based solely on delegation composition or primary results. (Rule 6.B. Delegate Selection Rules for the 2004 Democratic National Convention) The procedures are the same for challenges alleging failure to properly implement the Affirmative Action section of a Plan, except that such challenges must be filed not later than thirty (30) days prior to the initiation of the state's delegate selection process.

4. Depending on the appropriate jurisdiction (see Section XIV.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.