

## Nebraska Democratic Party 2008 Presidential Caucus & Presidential Preference Process Rules

### 1. Precinct Caucus Organization and Participants:

(a) A precinct caucus is a meeting of legal voters who are registered Democrats or who register as Democrats at the caucus and who are residents of that precinct. A precinct caucus is held to select delegates to the County Convention and to transact such business as may come before it. The primary business of the precinct caucus will be to select County Delegates committed to the presidential candidates for the County Convention.

(b) The County Central Committee shall set the number of delegates and alternates to the County Convention for each precinct. By state law each precinct shall have at least two delegates. Additional delegates and alternates may be awarded a precinct based upon the number of votes for the Democratic candidate in the last general election for president. The allocation of County Delegates shall be certified to the NDP by January 1, 2008.

(c) Precinct leaders and the local County Democratic Party shall arrange for the caucus sites and necessary facilities and supplies. Public meeting facilities within or outside of the precinct may be used. Multiple precincts can meet in the same location, but precincts must be separated during the caucus meetings. Private housing may only be used when no other alternatives are available. County Parties shall determine the number of sites and locations needed to facilitate this process.

(d) The NDP has set the date of the Precinct Caucuses as February 9, 2008. Each County Central Committee shall set the time of the Precinct Caucuses for their county provided that the Presidential Preference Process in each caucus shall be completed and reported to the NDP by 730pm local time. The County Chair shall publicly announce the date, time, and location of each Precinct Caucus at least 30 days in advance and shall promote and encourage participation.

(e) Caucus participants must be (1) a U.S. citizen; (2) residing in the precinct at which they participate; (3) eligible to vote (18 years old by the next General Election Day); (4) a registered Nebraska Democrat, or anyone who, prior to or at the caucus meeting, registers as a Nebraska Democrat and signs the "New Democrat form" as described below; and (5) one who thereafter does not participate in any other political party's process during the election year.

(f) Each caucus participant must sign in and verify that they meet the requirements of participation. All people who wish to be participants must be present at each delegate count. Absentee Preference Cards will be allowed only if the person requesting the Card (1) is already a registered Democrat in the precinct, and (2) files a written request for a Card on or before January 15, 2008 attesting that he or she is unable to attend the caucus. The Absentee Preference Card must be completed and submitted by February 1, 2008 and cannot thereafter be changed.

(g) A caucus participant may register to vote as a Democrat or change their party affiliation to Democrat on the night of the caucus. The voter registration forms must be completed and delivered to the Precinct Leader prior to participation in a caucus meeting. The Precinct Chair or the Chair's designee shall turn the registration forms into the County Clerk/Election Commissioner the next business day. Anyone registering for the first time or changing their party registration must sign the "New Democrat form" for the Party's records. The Caucus Chair or the Chair's designee shall deliver these forms to the NDP. The NDP will return copies of them to the County Democratic Party.

(h) Observers are permitted. There are no residency or registration requirements to observe the caucus, but observers must not be disruptive, intimidating, or interfere in any way with caucus business. Any observers who dispute the caucus or interfere with the free democratic process may be excluded or removed from the caucus.

## 2. Caucus Procedures

(a) The County Chair shall appoint a Precinct Leader for each precinct caucus. The Precinct Leader will convene the caucus no earlier than the ten minutes after the stipulated start time. The first order of business is to elect a Caucus Chair and Caucus Secretary. If the Precinct Leader is not elected as Chair, the Precinct Leader still must assist the Chair in the activities of the caucus. The election is by voice vote after all nominations have been received. Secret ballots can be used if the vote is contested.

(b) After the election of the Chair, the Chair will assign each candidate a portion of the room. After all the caucus participants have picked a candidate (or chosen to be "uncommitted" – see below) and signify their support by moving to the proper area of the room, the number of people in each of these "preference groups" is announced. In order for a candidate to receive any delegates from a precinct, that candidate must be "viable." Viability is set as 15% of caucus participants in the precinct. If a candidate does not meet or exceed the viability threshold, then the supporters of the nonviable candidate must either join with (or into) a viable group or become uncommitted. Caucus participants who continue to support non-viable preference group must abstain themselves. This period is called "realignment." During this time, supporters of viable candidates will select a spokesman who can try to persuade others to join their preference group.

(c) Caucus participants who are unsure of which candidate to support may choose to be "uncommitted." Participants who declare themselves as "uncommitted" will be treated in a manner similar to those supporting a specific candidate and the viability rules and binding nature of the preference declaration shall be the same as for participants who support a candidate. During the realignment, supporters of nonviable candidates and uncommitted delegates may bind together to form a viable "uncommitted" preference group if none exists rather than support one of the other candidates.

(d) After realignment, the supporters in each preference group are counted. The Caucus Chair should be sure that all groups are viable. At this point, anyone still in a nonviable group must either support a viable preference group or be forced to abstain. The preference groups being finalized, the Caucus Chair determines how many delegates

to the County Convention that each group of supporters of each preference group receives:

$$\frac{\text{\# of caucus-goers in group}}{\text{Total \# of caucus participants less abstentions}} \times \text{\# of total delegates that precinct elects} = \text{\# of delegates to be elected by that preference group}$$

Fractions are rounded up at 0.5 and down at less than 0.5 when apportioning delegates. In case of a tie after realignment, such as two equal-sized preference groups competing over an odd number of delegates, a coin flip determines the final delegate count.

**NOTE** – This process must be complete by 730pm local time. The results must be immediately communicated to the County Chair.

(e) Once the Chair has so declared viability and allocated the number of delegate and alternate positions to each group, all participants in each preference group shall caucus and elect from their numbers the number of delegates and alternates allocated to that group and announce the results of that election to the Chair.

(f) The individuals elected as delegates for each candidate at each precinct caucus [hereinafter “County Delegates”] shall thereupon sign pledges to support their presidential candidate at the County Convention and to attend and participate as a delegate at the County Convention. Presidential preference declarations shall be binding throughout the Caucus process except as specifically provided below.

(g) If any precinct does not elect individuals to serve for all allocated County Delegate and Alternate positions or if the elected Delegate and Alternate do not attend the County Convention, then open positions may be filled by nominations by the County Chairman or from the floor and vote by the County Convention delegates prior to the presidential caucus at the County Convention. Delegates so seated may participate in any presidential preference process at the convention.

(h) Precinct leaders or Caucus Chairs shall immediately report all results in terms of the number of delegates elected for each preference group to the County Chair, who will in turn tabulate the results and report the results to the NDP. The NDP shall promptly publicize the results of the precinct caucuses. Precinct leaders shall collect signed delegate pledge cards and promptly deliver the same to the County Chair.

(i) Other Business – Besides determining the Presidential Preference of the precinct, the caucus may do several other activities. These are determined by the County Party, but they may include:

- i. elect precinct committee persons to serve on the County Central Committee (if appropriate to the county);
- ii. elect alternates for the County Central Committee (if appropriate to the county);
- iii. discuss and indicate priorities regarding issues of national, state, and local importance;
- iv. Draft resolutions to be presented at the county convention or state convention; and/or

- v. transact any other party business as it sees fit and is appropriate at the precinct level.

(j) In the event of any dispute, all matters will be resolved in accordance with the rules of the NDP Constitution and By-Laws or Robert’s Rules of Order.

3. Alternative Caucus Organization and Procedures

If a county encounters logistical barriers to conducting caucuses at the precinct level (the preferred method), the county may adopt caucus organizational rules and procedures that allow for “combined precinct caucuses”. These rules and procedures must be filed with the State Chair or the Executive Directory by November 1, 2007. In so doing, the above organizational rules and procedures (1 and 2) must be followed with the following provisions –

- (a) Substitute the phrase “Combined Precinct” or “Combined Precinct Caucus” for the words “Precinct” or “Precinct Caucus” as is appropriate in all of Rules 1 and 2.
- (b) An explanation as to why and how the precincts are to be combined must be inserted before Rule 1. This paragraph should be titled “Explanation of Precinct Combination.”
- (c) Rule 1(c) must be altered to mandate that a Combined Precinct Caucus be held within the combined precincts.
- (d) The first sentence of Rule 2(a) is altered to be split into two sentences and read as follows -  
 “The County Chair shall appoint an Area Leader of each Combined Precinct Caucus (the Area). The Area Leader or the County Chair shall appoint a precinct leader for each precinct within the Area.”

4. County Conventions - Presidential Preference Process:

- (a) At the County Convention, only the County Delegates (or their alternates when seated by the Convention) elected to fill precinct delegate positions shall caucus on presidential preferences to determine viability for candidates and to elect delegates and alternates to the state convention [hereinafter “State Delegates” and “State Alternates”].
- (b) The County Convention caucus shall be conducted by the County Chair or Chair’s designee in the same manner as the precinct caucus (including realignment) as a set forth above except as herein provided.
- (c) County Delegates are bound by their presidential preference declared at the Precinct Caucus, unless their Candidate is not supported by 15% of the delegates [“Viability”], or they are released by their candidate by notification to the NDP or to the County Chair. Any delegate pledged to a candidate who does not obtain Viability but who refuses to realign with another candidate or uncommitted, shall abstain from any further realignment.
- (d) After Viability is determined to exist and all delegates have realigned with viable preference groups or have abstained, the County Chair shall announce the apportionment

of the State Delegate and Alternate positions among the viable candidates and “Uncommitted” preference groups in accordance with their support on a county-wise bases from the Precinct Caucuses.

(e) The County Delegates in each viable preference group shall elect State Delegates and Alternates as apportioned.

(f) The County Convention may permit other persons to be seated as delegates at the Convention, but these additional delegates shall not participate in the State Delegate and Alternate selection process (see Rule 2g above).

(g) Individuals from that county may seek nomination as a State Delegate or Alternate if they are a registered Democrat eligible to vote in the general election, regardless of whether they were elected as Delegate to the County Convention.

## 5 Congressional District and State Convention - Presidential Preference Process

(a) The State Delegates elected at the County Conventions shall caucus on presidential preferences. The election of National Delegates shall be conducted in accordance with the National Delegate Selection Plan as adopted by the NDP.

## 6. Conflicts.

(a). These Nebraska Democratic Party Presidential Caucus Rules [“Caucus Rules”] are intended to comply with all requirements of Nebraska law and are to be interpreted as consistent with such law.

(b) These Caucus Rules are intended to comply with and implement all portions of the 2008 Nebraska Delegate Selection Plan and all Calls, Rules and Regulations of the National Democratic Party provided that in the event of any conflict between these Caucus Rules and the 2008 Nebraska Delegate Selection Plan and all Calls, Rules and Regulations of the National Democratic Party, these Caucus Rules will be deemed amended to coincide with the 2008 Nebraska Delegate Selection Plan and all Calls, Rules and Regulations of the National Democratic Party. Any portion hereof which does not so comply may be severed and the balance of these Caucus Rules shall remain valid.