

Nebraska Democratic Party 2016 Presidential Caucus & Presidential Preference Process Rules

1. 2016 Caucus Committee.

(a) The Nebraska Democratic Party (NDP) shall conduct a 2016 Presidential Precinct Caucus by and through the 2016 NDP Caucus Committee (NDPCC).

(b) The NDPCC shall consist of the State Chair, the First and Second Associate Chairs, the representative of the County Chairs from the State Executive Committee, and the Chair and Associate Chair of each Congressional District Caucus as voting members. The Executive Director, the Communications Director, and the Chair of the State Rules Committee shall be ex officio non-voting members. The Committee may add additional non-voting members as it sees fit. The State Chair shall serve as Chair of the NDPCC, unless the Chair, with the approval of the NDPCC, designates another member of the NDPCC to serve as Chair.

(c) The NDPCC shall do all acts reasonable and necessary to successfully conduct the 2016 Caucus in a timely manner within the parameters of these Rules and the Delegate Selection Plan (DSP) as approved by the Democratic National Committee (DNC).

(d) The NDPCC shall submit quarterly reports of caucus organization and readiness to the State Central Committee.

(e) The NDPCC shall give a final report of activities and recommendations of the caucus process to the State Central Committee. The Committee shall be dissolved after approval of their report to the State Central Committee following the 2016 Primary Election.

2. 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 Presidential Preference Delegates to the County Convention and such other business as may come before it. Delegates to County Convention will be selected based on Presidential Preference (see No. 3 below).

(b) Each county party shall set the number of Presidential Preference (PP) delegates and alternates to their County Convention for each precinct in their county. Such PP delegates and alternates shall be allocated amongst precincts based upon the number of votes cast for the Democratic nominee in the last Presidential general election. The

number of precinct PP delegates and alternates shall be certified by the county chair to the NDP no later than February 1, 2016.

(c) The county parties shall appoint County Caucus Leaders and Precinct Leaders who shall assist the NDP in arranging for local Caucus sites and necessary facilities and supplies. In counties containing at least one whole Legislative District, the county party may appoint Legislative District Caucus Leaders. For Multi-County Legislative Districts, the NDPCC may consult with county parties regarding appointment of Legislative District Caucus Leaders.

(d) In cases where the NDPCC finds a county without an active county party organization, or the refusal of the leadership of a county party to participate in the organization and conduct of Precinct Caucuses, the NDPCC shall do what is necessary to organize and conduct Caucuses at the Precinct level or an alternate level of organization (see Section 5).

(e) Public meeting facilities within or outside of the precinct may be used. Larger sites hosting multiple precincts in the same location may be used, but Caucuses should be conducted and results should be reported on a precinct-by-precinct basis. If a single site will be used for multiple precincts, a Site Leader must be appointed. Private housing shall be discouraged unless no other alternatives are available. The county parties, in cooperation with the NDPCC shall jointly determine the number of sites and locations needed to facilitate this process.

(e) The Caucus shall be held on March 5, 2016, between 10:00 a.m. CDT (9:00 a.m. MDT) and 8:00 p.m. CDT (7:00 p.m. MDT). The NDP, in conjunction with the county parties, shall publicly announce the date, start time, and location of each county's Precinct Caucus at least 30 days in advance and shall promote and encourage participation.

(f) Caucus participants must be (1) residing in the precinct at which they participate; (2) eligible to vote (18 years old by the next General Election Day); and (3) a registered Nebraska Democrat or anyone who, prior to or at the Caucus meeting, registers as a Nebraska Democrat.

(g) 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 if the person requesting the Card (1) is a registered Democrat in the precinct, (2) cannot attend and (3) files a written request for a Card in a timely manner as determined by the NDPCC. The Absentee Preference Card will only allow for one (1) Presidential Preference choice and cannot be realigned if the choice on the card is deemed "not viable" at the Caucus event (see "Caucus Procedures" below). The NDPCC will arrange for the issuance and validation of the Absentee Preference Cards.

(h) A Caucus participant may register to vote as a Democrat or change their party affiliation to Democrat at or before 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 following the Caucus. Anyone registering for the first time or changing their party registration must sign in for the Party's records. The Precinct Chair or the Chair's designee shall deliver these forms to the NDP. The NDP shall make copies of all information available to the relevant county parties.

(i) 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.

(j) Inclusion Process - The NDP seeks to include all segments of our society in our processes. In order to accomplish this task, the NDP actively solicits participation by all persons regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status, or physical disability. It is the goal of our Party to assure that persons who have historically been under-represented are encouraged to participate in each level of our delegate selection process. To that end, the NDPCC and county parties will actively seek to include all such persons in the Caucus process. Such actions shall include, but not be limited to, recruitment for, education about, and encouragement of participation in the Caucus.

(k) Gender balance – In the establishment of the number of PP Delegates per precinct to the county convention, county parties shall assure gender balance in each precinct delegation. A delegation will be considered to be gender balanced if the variance in genders is not more than one.

3. Caucus Procedures

(a) Precinct Leaders shall be appointed at least 45 days in advance of the date of caucus. If there is no Precinct Leader appointed at least 45 days in advance, then that precinct must be transferred to a multi-precinct site. The Site Leader of the multi-precinct site shall fill the Precinct Leader's roll until a Precinct Leader is appointed OR a Caucus Chair is elected at the Caucus.

(b) The Precinct Leader will convene the Caucus no earlier than 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 must assist the Chair in the activities of the Caucus. The election is by voice vote or show of hands after all nominations have been received. Anyone waiting in line to register shall be allowed to register before the Caucus can convene. The end of the registration line will be designated at ten minutes after the stipulated start time, and

anyone arriving thereafter is not permitted to participate in the Caucus, but may be permitted to attend Caucus as an observer.

(c) After the election of the Caucus Chair, the Caucus Chair will equitably direct all the Caucus participants to signify preference of a Presidential candidate (or choose to be “uncommitted” – see “d” below) in an appropriate manner and the number of supporters for each candidate shall be recorded by the Caucus Chair or Secretary. The number of people in each of these “preference groups” shall be 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 a non-viable candidate must abstain themselves. This period is called “realignment.” During this time, supporters of viable candidates will select a spokesperson who can try to persuade others to join their preference group.

(d) 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.

(e) After realignment, the supporters in each preference group are counted. The Caucus Chair should be sure that all candidates are viable. At this point, anyone still in a nonviable group must either support a viable candidate's preference group or be forced to abstain. Once the preference groups are finalized, the Caucus Chair determines how many delegates to the County Convention that each candidate receives by dividing the Participants in the candidate's Preference Group by the total participants in the Caucus then multiplying that percentage times the number of delegates allotted to the entire Precinct. Fractions are rounded up at 0.5 or above and down at less than 0.5 when apportioning delegates. In case of a tie for a delegate by rounding up or down, the preference group with the highest number of supporters after realignment will be awarded the delegate. In the case of two equal-sized preference groups competing over an odd number of delegates, a coin flip determines the final delegate count.

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

(g) The individuals elected as PP delegates and alternates for each candidate at each Precinct Caucus 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.

(h) Precinct Leaders or Caucus Chairs shall immediately report all results in terms of the number of PP delegates and alternates elected and the final number of participants supporting each candidate to the NDP in the manner prescribed by the NDPCC. 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) Counties shall furnish Caucus participant information (name, address and all contact information gathered) to the NDP in the manner prescribed by the NDPCC within 7 days following the Caucus. Failure to supply the NDP with this information will result in the loss of seating of a county's delegation at the State Convention.

(j) If any precinct does not elect individuals to serve for all allocated County PP Delegate and Alternate positions or if any elected PP Delegate or Alternate does not attend the County Convention, then vacant positions may be filled by nominations by the County Chair or from the floor and approved by vote of the County Convention delegates prior to the presidential preference process at the County Convention. Delegates so seated must reflect the Presidential Preference and gender of the vacancy and may participate in any presidential preference process at the convention. However, only individuals elected as county PP delegates at their precinct caucus (or PP alternates seated as delegates at the county convention) are eligible to be elected as district-level or at-large pledged delegates or alternates to the National Convention.

(k) In the event of any dispute, all matters will be resolved in accordance with these Rules, the DSP, and the NDP Constitution and Bylaws.

4. Other Business

The participants at the Caucus may conduct other political activities. These are determined by the NDP, the county party or by caucus participants, but may include:

- i. electing precinct committee persons to serve on the County Central Committee (if appropriate to the county);
- ii. electing delegates and alternates to the County Central Committee (if appropriate to the county);
- iii. discussing and indicating priorities regarding issues of national, state, and local importance;
- iv. drafting resolutions to be presented at the county convention or state convention;
- v. providing a forum for Democratic candidates for other offices; or

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

5. Alternative Caucus Organization and Procedures

If a county party or the NDPCC encounters logistical barriers to conducting Caucus at the precinct level (the preferred method) in a county, an alternate level of political unit to Caucus may be proposed. The proposed alternate level must be submitted to the State Executive Committee for approval at least 90 days before the date of the Caucus. The allocation of Presidential Preference Delegates and Alternates, Delegate selection processes, Caucus organization and functions and Caucus business as stated in these Rules shall be followed as if the alternate level were a precinct, except that in the event that a county caucuses by legislative district or county, Presidential Preference Delegates and Alternates shall be allocated in the manner provided for State Convention Delegates and Alternates in the DSP and the NDP Constitution and Bylaws.

6. County Conventions - Presidential Preference Process:

(a) At the County Convention, only the County PP Delegates (or their alternates) shall caucus on presidential preferences to determine county viability for candidates and to elect delegates and alternates to the state convention [hereinafter “State Delegates” and “State Alternates”].

(b) The County Convention PP Caucus shall be conducted by the County Chair or Chair’s designee in the same manner as the Precinct Caucus (including realignment) as set forth above except as herein provided.

(c) County PP Delegates are bound by their presidential preference declared at the Precinct Caucus, unless their Candidate is not supported by 15% of the total county PP delegates [“Viability”], or they are released by their candidate by official notification to the NDP. Any delegate who is pledged to a non-viable candidate and 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 candidates 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-wide basis from the Precinct Caucuses.

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

(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.

(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 or not they were elected as Delegate to the County Convention. However, only individuals elected as county PP delegates at their precinct caucus (or PP alternates seated as delegates at the county convention) are eligible to be elected as district-level or at-large pledged delegates or alternates to the National Convention.

(h) In counties which are split between multiple legislative districts or multiple congressional districts, Viability shall be determined within each legislative district or congressional district and not on a county-wide basis.

7. State Convention - Presidential Preference Process

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 DSP.

8. 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 DNC, provided that in the event of any conflict between these Caucus Rules and the 2016 Nebraska Delegate Selection Plan and all Calls, Rules and Regulations of the DNC, these Caucus Rules will be deemed amended to coincide with the 2016 Nebraska Delegate Selection Plan and all Calls, Rules and Regulations of the DNC. Any portion hereof which does not so comply may be severed and the balance of these Caucus Rules shall remain valid.

9. Alterations or Additions to these Rules

Any alteration or addition to these Rules may be done after due consultation with the Rules Committee of the NDP and after approval of such alterations or additions by the State Central Committee or State Executive Committee.