

VIRGINIA  
DEMOCRATIC  
PARTY PLANS

(Adopted by the Democratic State  
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VIRGINIA DEMOCRATIC PARTY PLANS

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# VIRGINIA DEMOCRATIC PARTY PLANS

## PREAMBLE

The Democratic Party founded by Thomas Jefferson of Virginia is the noblest political means ever devised by free men for their own self-government. The Virginia Democratic Party exists to facilitate and encourage the full participation of all Virginians in choosing their elected officials and controlling their political destiny. It is dedicated to the preservation of all the rights enumerated in Article One of the Constitution of Virginia. The Democratic Party of Virginia exercises full equality with Democratic parties in other sovereign states in controlling the activities and establishing the principles of the National Democratic Party, whose principles it accepts, reserving always to itself their proper application.

## ARTICLE 1

### THE DEMOCRATIC PARTY OF VIRGINIA

Section 1.1 The Democratic Party of Virginia endorses the principles of the National Democratic Party as contained in the Charter of the Democratic Party of the United States of America, bound always by the United States Constitution.

Section 1.2 The Democratic Party of Virginia pledges full cooperation with all rules and requirements promulgated in connection with any call to a Democratic National Convention or Democratic Party Conference. This pledge of faith is made both to the substance and to the spirit of the call notice.

## ARTICLE 2

### MEMBERS OF THE DEMOCRATIC PARTY

Section 2.1 Every resident of the State of Virginia who believes in the principles of the Democratic Party, is hereby declared to be a member of the Democratic Party of Virginia.

Section 2.2 Every person who participates as a candidate or voter in a Democratic primary, convention or mass meeting must be qualified to vote in the next ensuing general election or special election. No person shall participate in a Democratic primary, convention or mass meeting who intends to support a candidate or candidates opposed to any Democratic nominee or nominees in such general or special election.

## ARTICLE 3

### FULL PARTICIPATION AND EQUAL OPPORTUNITY

Section 3.1 Every Democratic committee shall adopt and implement an affirmative action program to encourage participation in the delegate selection process and in all party organizations at all levels of all Democrats, with particular concern for young people, women, blacks and other minority

groups. Every Democratic committee, as well as every member and officer thereof, shall work to the end that all Democratic committees and delegations to Democratic conventions contain young people, women, blacks and other minority groups. Mandatory quotas, however, shall not be imposed at any level of the delegate selection process or in any other party affairs.

Section 3.2 The Democratic Party of Virginia shall establish an Equal Opportunities Commission composed of seven persons, four of whom shall be elected by the State Central Committee and three appointed by the state chairperson for a term of two years. All persons serving on this commission shall hold such positions for not more than two successive terms. The commission shall investigate and receive complaints relating to alleged discrimination in party affairs on grounds of sex, age, race, color, creed or national origin. Upon receipt of any such complaint, which can be made by any Democrat aggrieved by such alleged discrimination, the commission shall review the complaint and if it finds that good cause exists for an investigation to be conducted, the commission shall refer immediately by certified mail to the district, city, county or other appropriate committee, as the case may be appropriate, the complaint; said committee shall investigate promptly the complaint in accordance with the provisions of Article 11 herein and report to the commission its written findings, conclusions and recommendations within two working days from the completion of the investigation; provided, however, that said report shall be filed by the committee no later than thirty days from receipt of said complaint. The commission thereupon shall review the filed report and conduct such additional investigation as may be warranted, following which it shall file such report with the Steering Committee.

The remedies provided by this section shall be in addition to and not in lieu of any other remedies and rights of appeal which the complainant may have under other provisions of the Party Plans.

#### ARTICLE 4

##### DEMOCRATIC STATE CENTRAL COMMITTEE

Section 4.1 There shall be a Democratic State Central Committee composed of fifteen members from each congressional district plus the Democratic members of the United States Congress, those Democratic members of the Virginia General Assembly and those chairpersons of certain local committees who are elected as provided in Section 6.4 of the Party Plans. The said fifteen members shall be elected for a term of four years by the Democratic State Convention on the nomination of the respective congressional district conventions preceding each such state convention. The chairperson, the first vice-chairperson, the second vice-chairperson, the secretary and the treasurer of the State Central Committee; all the Virginia members of the Democratic National Committee; the president, national committeeman and national committeewoman and the Young Democrats of Virginia; the president and first vice-president of the Virginia Federation of Democratic Women's Clubs; and the president of the Teen Democratic Clubs shall also be voting members of the State Central Committee.

Section 4.2 The state convention held in the year of a presidential election shall elect a chairperson, a first vice-chairperson, a second vice-chairperson of the Democratic State Central Committee, and the Virginia members of the Democratic National Committee, each person to serve a term of four years. The chairperson of the State Central Committee shall nominate for election by the said committee a secretary and treasurer who shall serve as voting members of the State Central Committee; their terms of office and their membership on such committee shall expire upon the expiration of the term or the vacation of the office of the chairperson who nominated them. Any vacancy in the office of chairperson, first vice-chairperson, second vice-chairperson or national committee person shall be filled by the State Central Committee.

Section 4.3 The State Central Committee shall meet at least twice a year. (a) upon call of the chairperson, or (b) upon written notice filed with the secretary not less than fifteen days prior the the meeting signed by any five of the chairpersons of the congressional district committees, or (c) upon written notice filed within like time with the secretary signed by twenty per cent of the entire membership of the State Central Committee, or (d) at such times and places as a majority of the State Central Committee's membership may determine. In the event of the calling of a meeting by the chairperson or of the filing of a written notice pursuant to either (b) or (c) the secretary shall give immediate notice of such meeting to the membership. Forty per cent of the entire membership shall constitute a quorum.

Section 4.4 It shall be the duty of the State Central Committee, as well as each officer and member thereof, to perfect the Democratic Party's organization throughout the state and to do all within its power to aid in the victory of the Democratic Party's nominees in all elections. The State Central Committee shall remove from both office and membership any member who shall miss three consecutive meetings without cause or who shall be guilty of willful neglect of any duty imposed upon such member. Such action shall be taken only on the recommendation of the Steering Committee, which committee shall make such recommendations only after affording the offending party a hearing with at least ten days notice thereof.

Section 4.5 The State Central Committee shall have entire charge and full control of all party matters arising throughout the state. All powers that inhere in the Democratic Party of Virginia or in a Democratic State Convention shall be vested in the State Central Committee at such times as the state convention is not in session. The State Central Committee may by absolute majority amend the Party Plans. Amendments may be made by a majority of those present and voting of such amendment has been mailed to the entire membership at least fifteen days prior to the meeting.

Section 4.6 The chairperson shall be chief executive officer of the State Central Committee. He or she may appoint and dismiss any and all personnel of the staff of the State Central Committee, including all deputies, assistants, counsel and staff members subject to ratification by the committee on expenditures and the Steering Committee.

Section 4.7 The secretary shall keep and make available to members minutes of meetings of the State Central Committee and Steering Committee and may formally certify actions and resolutions of the State Central Committee.

Section 4.8 The treasurer shall safely keep all funds of the committees and shall keep a detailed account of all contributions, other receipts and disbursements. The treasurer shall submit to the members of the State Central Committee an oral financial report at each meeting of the State Central Committee and an audited report annually.

Section 4.9 The chairperson, first vice-chairperson, second vice-chairperson, secretary, treasurer, and finance chairperson who shall be appointed by the chairperson together with one additional member selected by the State Central Committee, shall constitute the Committee on Expenditures. The finance chairperson shall present each year a budget for approval by the State Central Committee. Expenditures within such budget shall be under the supervision and control of the Committee on Expenditures.

Section 4.10 Prior to the start of each fiscal year, the State Central Committee shall allocate an equal assessment among the congressional districts of the operating budget, or such portion thereof as the State Central Committee may determine. Within sixty days after the adoption of the annual operating budget, each district committee shall allocate among the county and city committees in its district its share of the assessment made by the State Central Committee to the district committee and notify the state chairperson of such assessments, unless the district committee exercises the option of raising its allocated share of the operating budget by means other than assessment to the county and city committees. If the district committee fails to make the assessments, or to raise its allocated share by optional means, then the assessments shall be made by each county and city committee by the chairperson of the State Central Committee. If the district committee decides to raise its share of the budget, an appropriate plan of fund raising shall be submitted to the chairperson of the State Central Committee within sixty days after the allocation is first made to the district committee. If the assessments are made to each county and city committee, they shall be considered as an assessment due to the State Central Committee by each local county and city committee. Within six months of the beginning of each fiscal year, the district committee, or each county and city committee if assessments are made to them, shall forward to state headquarters all assessments made under this section. Upon payment of the proper assessment, all each such committee members shall receive a subscription of the Democratic Party's newspaper, to be published regularly, and a detailed financial report shall be mailed to the chairman of each county and city committee on a quarterly basis.

Section 4.11 The State Central Committee shall adopt and promulgate to the congressional district committees and to the local committees plans to encourage full participation in the democratic process and shall submit such plans as required to the appropriate bodies of the National Democratic Party for approval.

## ARTICLE 5

### STEERING COMMITTEE

Section 5.1 The chairperson, first vice-chairperson, and second vice-chairperson of the Democratic State Central Committee, the Virginia members of the Democratic National Committee, the chairpersons of the Democratic congressional district committees, the president of the Young Democrats of Virginia, and the president of the Federation of Democratic Women's Clubs shall constitute the Steering Committee whose duty it shall be to have entire charge and full control of all party matters arising throughout the state between meetings of the State Central Committee. The secretary of the State Central Committee shall be the secretary of the Steering Committee, but shall have no vote thereon.

Section 5.2 All powers that inhere in the State Central Committee shall be vested in the Steering Committee at such times as the Democratic State Central Committee is not in session and its actions shall be final unless overruled by the State Central Committee or a Democratic State Convention by a majority vote of those present and voting; provided, however, that members of the Steering Committee shall not amend the Party Plans to change the number of members on the State Central Committee.

Section 5.3 The Steering Committee shall meet (a) upon call of the chairperson of the State Central Committee, or (b) upon written notice filed with the secretary of the State Central Committee not less than ten days prior to the meeting signed by any five members of the Steering Committee, the secretary to give immediate notice of such meetings to the membership, or (c) at such times and places as a majority of said Steering Committee's membership may determine. All meetings of the Steering Committee shall be open to any members of the Democratic Party unless the Steering Committee by resolution provides otherwise.

Section 5.4 The Steering Committee shall constitute an appeals committee whose duty in fulfilling this responsibility shall be limited to hearing all appeals provided in this plan from constitutional officer committees, legislative district committees, senatorial district committees and congressional district committees. The decision of the Steering Committee acting as an appeals committee shall be final unless overruled by the State Central Committee or a Democratic state convention.

Section 5.5 Whenever the chairperson of a congressional district committee cannot attend a meeting of the Steering Committee, he shall select another member of said congressional district committee to attend such meeting in his place and stead with full authority to act as a member of the Steering Committee, and shall inform the chairperson of the State Central Committee of such selection.

Section 5.6 The Steering Committee may employ a full time assistant to the chairperson of the State Central Committee who shall perform such duties as are assigned by the State Central Committee. The assistant to the chairperson shall perform those duties under the supervision and direction of the chairperson. The Steering Committee may authorize the chairperson to assume the duties and responsibilities of such assistant with compensation, if any, to be authorized by the Committee on Expenditures.

## ARTICLE 6

### DEMOCRATIC CONGRESSIONAL DISTRICT COMMITTEES

Section 6.1 The members of the Democratic State Central Committee elected as such by the state convention, or their successors, who are voting residents of each congressional district, shall compose the Democratic congressional district committee for that district.

Section 6.2 Each district committee shall organize by the election from its membership of a chairperson and secretary and such other officers as it may see fit.

Section 6.3 Each such district chairperson shall make reasonable efforts to notify the chairperson of each city or county committee in the district of all meetings of the district committee.

Section 6.4 Upon the organization of the district committee, it shall elect the following members: one Democratic member of the General Assembly from such district and one county or city chairperson from such district. Members so chosen shall be voting members of the district committee as soon as elected by the district committee. Confirmation of the election of both the General Assembly member and the local chairperson shall be made by the State Central Committee. If for any reason the Democratic member of the General Assembly or local chairperson cannot fill these positions, they shall be filled by the district committee. If for any reason such additional members vacate the office they hold that entitles them to this membership, then this seat shall become vacant on the district committee.

Section 6.5 Vacancies in any district committee shall be filled by the remaining members of such committee subject, however, to confirmation by the Democratic State Central Committee at its next meeting. Members so chosen shall be voting members of the district committee as soon as elected by the district committee. The district chairperson is encouraged to make reasonable efforts to notify each local committee chairperson of any existing vacancies for the purpose of soliciting recommendations.

Section 6.6 Each district committee shall have entire charge and full control of all matters relating to congressional nominations and elections within its district. It shall be the duty of each district committee to perfect the Democratic organization within its district, and see to the proper discharge by local or other constituent committees within the congressional district of their duties. Each district committee shall remove from both office and membership on the Democratic State Central Committee and the district committee any member who shall miss three consecutive meetings of the district committee without cause or who shall be guilty of willful neglect of any duty imposed upon him. Such action shall be taken only after affording the offending member a hearing with ten days notice thereof.

Section 6.7 It shall be the duty of each district committee to fix the time, place and method of nominating in its congressional district a Democratic candidate for the House of Representatives in the Congress of the United States. Such nomination shall be made by primary election, mass meeting or convention. Whenever a district committee determines that such nomination



shall be by the primary election method, then such primary election shall be held in conformity with the Primary Plan of the Democratic Party and the applicable election laws of Virginia. Whenever such nomination is to be made by convention, the committee shall fix the basis of representation for such convention.

Section 6.8 Prior to January 15, 1976, and prior to January 15 of every second year thereafter, each district committee shall ascertain that all Democratic county and city committees within its jurisdiction have reorganized as hereinabove required and, if any have not, shall immediately cause an election to be held in each non-complying county or city to select a new county or city committee and to have officers elected thereby in the manner hereinabove provided.

Section 6.9 When a local committee fails to carry out its duties as specified in the Party Plans, a district committee acting upon an appeal may cause an election of a new local committee to be held; provided, however, no such election shall be held without an opportunity for a hearing by the Steering Committee on any appeal from the action of the district committee in accordance with the provisions of Article 11.

Section 6.10 Whenever a district committee orders the election of a county or city committee pursuant to the provisions of the Party Plans, such district committees shall be charged with the authority and responsibility with respect to such election that has been given elsewhere in the Party Plans to the respective county or city committee.

Section 6.11 Any member of a district committee may appeal from any decision, deadlock, or the failure of such committee to act, to the Steering Committee of the State Central Committee.

Section 6.12 On January 1 of the year following any reapportionment of the congressional districts, and until the next Democratic state convention at which a new State Central Committee is elected, all members of the State Central Committee shall become members of the committee for the congressional district in which they reside. Where, as a result of such reapportionment, a district contains more resident members than the specified number to which it is entitled, each such member's vote on the State Central Committee shall be that fraction that is obtained by dividing the specified number by the number of members of the new district committee. Where, as a result of such reapportionment, fewer than the specified members of the State Central Committee reside in a congressional district, the number less than specified shall be deemed vacancies on the State Central Committee and shall be filled as provided for in the Party Plans. In the event, whenever a special election is called to fill a vacancy in the House of Representatives, the members of the State Central Committee residing in the congressional district as defined for purposes of that election shall be deemed the district committee for the purpose of that election.

## ARTICLE 7

### DEMOCRATIC CONSTITUTIONAL OFFICER, LEGISLATIVE AND SENATORIAL DISTRICT COMMITTEES

Section 7.1 For the purpose of prescribing the method of nominating candidates, there shall be a constitutional officer, legislative and senatorial

District Committee for every such elective district in the state, except when such district lies wholly within the boundaries of one political subdivision, the city or county Democratic committee shall exercise all powers relating to method of nominations.

Section 7.2 Nominations shall be made by primary election, mass meeting or convention. Whenever any such district committee determines that such nominations shall be by the primary election method, then such primary election shall be held in conformity with the Primary Plan of the Democratic Party and the applicable election laws of Virginia. Whenever such nominations are to be made by convention, the district committee shall fix the basis of representation for such convention. The district committees shall advise the state party headquarters in writing of the method of nomination for any office. This method of notification applies to all nominations including those by primaries, mass meeting or conventions.

Section 7.3 The chairpersons of the respective Democratic county and city committees for the several counties and cities contributing to any constitutional officer district, or to any legislative or senatorial district when it consists of more than one county or city or parts thereof, shall constitute the Democratic committee for such constitutional officer, legislative or senatorial district. Whenever a county and one or more cities of the second class share constitutional officers, said county and city or cities shall constitute a constitutional officer district.

Section 7.4 The weight of each member's vote on such district committee from each jurisdiction shall bear the same relation to the total vote of said committee as the combined vote in such member's county or city or part thereof which is contained in said district for the Democratic candidate who received the highest number of votes in the most recent general election bears to the total vote cast for such candidate in the entire district.

Section 7.5 Each such district committee shall organize by the election of a chairperson and secretary and such other officers as it may see fit. The committee shall meet between January 1 and January 15 of each year and upon the election of a chairperson and secretary shall advise the state party headquarters by February 1 of each year the names, addresses, and phone numbers of the committee members and officers thereof. Any two members of such district committee may call a meeting of such committee. Any member of such committee may call a meeting if there are less than three members of such committee.

Section 7.6 Any member of a constitutional officer, legislative or senatorial district committee may appeal from any decision or deadlock of the committee or the failure of such committee to act to the Democratic committee of the congressional district in which such constitutional officer, legislative or senatorial district is located. In the case of a constitutional officer, legislative or senatorial district that is located in more than one congressional district, the appeal provided in this paragraph shall be made to the Steering Committee.

## ARTICLE 8

### DEMOCRATIC COUNTY AND CITY COMMITTEES

Section 8.1 A Democratic committee shall be elected for each county and

city by the Democratic voters thereof during the week ending December 6, 1975, and during the week preceding the first Saturday in December every second year thereafter; provided, that a local committee may elect its new committee as required hereunder in 1975 and every two years thereafter during such week or in a primary election. Meetings for the purpose of the election of committees shall be held on Saturday or if so provided by the local committee by-laws on a week day evening at 7:30 p.m. The existing committee shall in each case determine the basis of representation of the committee; provided, however, that each precinct shall be represented by at least one full voting member of the committee who shall be at the time of his election a resident of that precinct. In the event that the committee reorganizes by the primary method, but due to the absence of a primary contest for public office, the state election machinery cannot be used without cost to the Democratic Party, then any candidates for election to the city or county committee who have duly filed and who are unopposed shall be declared elected, and a mass meeting shall be held at 8 p.m. on the date for which the primary election was called to vote upon the candidates in contested elections for the remaining positions on the city or county committee, provided that upon the written consent of all candidates who have duly filed for such contested elections, and upon the request of the county or city committee concerned, the congressional district committee may conduct an election by ballot held at a public place within the contested precinct.

Section 8.2 Any ten Democratic voters of a county or city who feel that the Democratic committee for that county or city has been elected in a manner inconsistent with the Party Plans may, within fifteen days after such election appeal in writing to the Democratic congressional district committee for the district in which the county or city, or the larger part of the population thereof, is situated. The Democratic congressional district committee may sustain the election of the county or city committee, or may order a new election, in which case said election shall be held under the direction of the Democratic congressional district committee.

Section 8.3 Within forty days following the elections hereinabove required, each new county and city committee shall elect its chairperson, secretary and such other officers as it may see fit. The secretary shall submit to state headquarters of the Democratic Party of Virginia within ten days of his election the names, addresses and telephone numbers of the officers and membership of the committee.

Section 8.4 Each county and city committee shall have responsibility for the Democratic Party's interest in all general and special elections within such county or city.

Section 8.5 It shall be the duty of every county and city committee, as well as each officer and member thereof, to attend to the registration of voters, to perfect the Democratic organization within such county or city, and to do all within their power to aid in the victory of the Democratic Party's nominees in all elections, except as otherwise provided in Section 10.10.

Section 8.6 A county or city committee may remove from both office and membership any person who shall be guilty of willful neglect of any duty imposed upon him. Such action shall not be taken without notice to the offending member and an opportunity for him to refute such charges.

Section 8.7 Each county and city committee shall fill any vacancy occurring in its membership.

Section 8.8 Meetings of a county or city committee shall be (a) upon call of the chairperson of the committee, or (b) within fifteen days following receipt by the chairperson of a written request signed by at least ten per cent of the members of the committee, the chairperson to give at least ten days notice of such meetings to the members and officers, which meeting shall be held within thirty days of receipt of said notice, or (c) at such times and places as a majority of the committee's membership may determine.

Section 8.9 Each county and city committee shall prescribe the methods to be used within such county or city to nominate candidates for county, city and other local offices, and to elect members of said committee and delegates and alternate delegates to party conventions. Such nominations and elections shall be made by primary election, mass meeting, or convention. Whenever a county or city committee determines that such nominations or elections shall be by the primary election method, then the primary election shall be held in conformity with the Primary Plan of the Democratic Party and the applicable election laws of Virginia.

Section 8.10 In the election of delegates and alternate delegates to any county, city, district or state convention, it shall be the duty of the county or city committee to prescribe whether such election shall be by precinct, magisterial or equivalent district, ward, county or city meeting or convention, and the number of delegates and alternate delegates to which each precinct, magisterial or equivalent district, or ward shall be entitled.

Section 8.11 Any member of a county or city committee, or any person removed from or denied membership on or office of such committee, may appeal from any decision or deadlock of the committee, of the failure of such committee to act, to the Democratic congressional district committee for the congressional district in which the county or city, or the larger part of the population thereof, is situated. Any such appeals must be taken within fifteen days of the action appealed from.

Section 8.12 Every Democratic county and city committee shall be responsible for paying to the Democratic State Central Committee an annual assessment determined as provided in the Party Plans.

Section 8.13 Every member of each of the ten Democratic congressional district committees shall upon his election become a non-voting ex officio member of the Democratic committee in the county or city in which he resides.

## ARTICLE 9

### NOTICE REQUIREMENTS

Section 9.1 Whenever any Democratic committee shall determine that committee members, delegates and alternate delegates to any convention, or Democratic nominees for any office are to be selected by any method other than a primary election, then in such case notice of the time, place and method of such selection shall be given in each by publication in a newspaper of general

circulation in such jurisdiction at least ten days prior to the time for such selection. This notice shall be at least two columns wide and three inches in length and published as a paid political advertisement. Filing by mail or messenger of declaration of candidacy shall be permitted as long as such declarations are received before the filing deadline and are signed personally by the prospective candidate. Provided that, whenever a declaration of candidacy for selection as committeeman, delegate or alternate delegate or party nominee shall be required by committee action or by public law, the notice specified above shall be given at least ten days prior to the last day on which such declaration of candidacy may be filed, and shall include the substance of the declaration as well as the time or times and place or places candidates may file.

Section 9.2 If any committee establishes a deadline for filing candidacy declarations, such deadline shall be not more than two weeks prior to the election, except in primary elections.

Section 9.3 No action shall be valid if taken at any meeting with respect to which the requirements of Section 9.1 have not been met. A copy of each notice herein required shall be mailed on or before the day it is posted and/or published to the secretary of the State Central Committee, who shall keep such notice for at least two years thereafter at the state headquarters of the Democratic Party, where it shall be made available to any person who, for good cause shown, demands to inspect it.

Section 9.4 The time and place of all public meetings of the Democratic Party of Virginia on all levels shall be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings shall be held in places easily accessible to all Party members and large enough to accommodate all interested persons.

Section 9.5 The Democratic Party of Virginia at all levels shall publicize fully and in such manner as to assure notice to all interested parties a complete description of the legal and practical qualifications for all party officers, representatives and nominees of the Democratic Party, and of the legal and practical procedures for selecting them. Such publication shall be done in a timely manner and in such fashion that all prospective candidates or applicants for any elected or appointed position within the state will have full and adequate opportunity to compete for office, and so that all prospective and current members of the Democratic Party of Virginia shall have full opportunity to participate in each selection procedure at all levels of government and of the Democratic Party organization.

## ARTICLE 10

### GENERAL PROVISIONS

Section 10.1 In no committee, convention or other representative body of the party shall any person be permitted to vote by proxy.

Section 10.2 All party committees shall have the power to adopt such further by-laws or rules and regulations as they shall deem necessary or expedient, and whenever such by-laws or rules and regulations are not in

conflict with state law or the Plans of the Democratic Party of the State of Virginia, they shall be valid and binding and shall be construed to be part of the law of the party.

Section 10.3 The unit rule is abolished in respect to all activities of the party and may not be used at any stage or level of party proceedings.

Section 10.4 No mass meeting or convention or party rule may bind any delegate selected by such mass meeting or convention to vote in a particular way on any matter or for or against any candidate; provided, however that this section shall not alter the binding obligation of Democratic electors, if elected, to vote for the Democratic candidates for President and Vice President.

Section 10.5 Whenever any Democratic committee shall hold a meeting which shall deal at any level with the process of delegate selection for a Democratic national convention, no action shall be taken by such committee, except to adjourn the meeting to another time and/or place, unless at least forty per cent of the members of such committee be present.

Section 10.6 Whenever any committee meeting, mass meeting or convention is called to deal at any level with the process of selecting delegates to a Democratic national convention, a notice of such meeting or convention shall clearly state such fact and designate those matters relating to the delegate selection procedures as distinct from other party business.

Section 10.7 Whenever an authorized convention or mass meeting shall fail to nominate a candidate for elective office, the committee that convened the convention or called the mass meeting may thereafter nominate a candidate who shall be the Democratic nominee for such office.

Section 10.8 In the event of a special election called to fill a vacancy, the Steering Committee may provide reasonable deadlines with respect to any requirement of the Party Plans and waive those herein provided.

Section 10.9 No Democratic committee member or officer of any Democratic committee shall publicly support, endorse, or assist the duly nominated candidates of another political party or any candidate opposed to a Democratic nominee. In the event any Democratic committee member or officer of any Democratic committee shall undertake such public activities, the appropriate Democratic committee shall remove said person from office. Such action shall not be taken without notice to the offending member and an opportunity for him to refute such charges. In the event that no action is taken against such person, the congressional district committee shall initiate the necessary action in lieu thereof. The Steering Committee of the Democratic State Central Committee may take further action within thirty days after the receipt of a written complaint by any member of the Democratic Party in relation to such matters.

Section 10.10 The obligations and duties imposed on any city, county and congressional district committee or the State Central Committee and their members in the Party Plans shall not be deemed to require support of any candidate who is himself publicly supporting a nominee on the ticket of any other political party in any general election where Democratic candidates for office appear on the ballot, or who publicly supports any other candidate opposed to a Democratic nominee.

## ARTICLE 11

### APPEALS

Section 11.1 In the event that an appeal is taken, as provided in this Plan of Organization, the procedure shall be as follows: The appellant or appellants shall file with the chairperson of the appellate committee a statement of the decision or deadlock from which the appeal is taken or the required action which has not been taken, together with the points on which the appeal is based, including wherein he or they or the individual or individuals for whom the appeal is taken have been injured and what provisions of the party law have been violated or disregarded.

Section 11.2 The chairperson of the appellate committee shall determine to whom notice of said appeal and copies of said petition shall be furnished by the appellant or appellants. Such notice shall be given to all persons affected by such appeal. The persons thus notified, or any of them, shall answer the petition within a reasonable time, to be fixed by the chairperson of the appellate committee. The said chairperson shall fix a time and place for a hearing on said appeal, at which time the appellate committee shall determine the appeal, either upon the petition and answer or after the taking of evidence as in its discretion it may see fit. Appellants and interested parties as determined by the chairperson, may be represented by counsel in the appellate process.

### PRIMARY PLAN

#### ARTICLE 21

##### STATE LAW

Section 21.1 Primary elections held under this plan shall be governed by those acts of the General Assembly of Virginia applicable to such primary election.

#### ARTICLE 22

##### UNITED STATES SENATORIAL AND STATE ELECTIVE OFFICER PRIMARIES

Section 22.1 A primary may be held for the nomination of United States Senators and Governor, Lieutenant Governor and Attorney General on the dates and in the manner provided by state primary law; provided, however, that the Democratic State Central Committee shall have the right to provide some other method of making such nominations consistent with the Plan of Organization of the Democratic Party of Virginia.

## ARTICLE 23

### CONGRESSIONAL PRIMARIES

Section 23.1 Congressional primary elections, when ordered for the nomination of candidates for the House of Representatives in the Congress of the United States, shall be held under the direction of the respective Democratic congressional district committees. Whenever such a committee determines that a nomination shall be made by a primary election, the chairperson thereof shall give at least seventy-five days' notice by posting the same at each precinct in each county and city of said district and/or by publication in at least one newspaper of general circulation in such congressional district. The Chairperson shall give like notice to the respective county and city chairpersons of said district.

Section 23.2 Nothing contained herein shall be taken to limit the right given to said Democratic congressional district committees to prescribe some other method of making nominations consistent with the Plan of Organization of the Democratic Party of Virginia.

## ARTICLE 24

### STATE CONSTITUTIONAL OFFICER, LEGISLATIVE AND SENATORIAL PRIMARIES

Section 24.1 Primary elections shall be held to select Democratic nominees for the State Senate, House of Delegates or constitutional offices when ordered by the district committee or when ordered by a county or city Democratic committee in any case where such officers are to be elected by voters of that county or city only. In each such case the primary election shall be held under the direction of the committee that ordered it.

Section 24.2 Whenever such committee determines that a nomination shall be made by primary election, the chairperson thereof shall give at least seventy-five days' notice by posting same at each precinct in each county or city of said district and/or by publication in a newspaper of general circulation therein. The chairperson shall give like notice to the respective county and city chairpersons of those counties and cities lying wholly or partially in said district.

Section 24.3 Nothing contained herein shall be taken to limit the right to said district or city or county committees to prescribe some other method of making nominations consistent with the Plans of the Democratic Party of Virginia.

## ARTICLE 25

### PRIMARIES FOR COUNTY AND CITY OFFICERS

Section 25.1 Primary elections for the nomination of county and city or other local officers, when ordered, shall be held under the direction of the respective county and city committees. Whenever such primary elections are ordered, the chairperson of the county or city committee, as the case may be, shall give at least seventy-five days' notice by posting at each precinct of said county or city and/or by publication in a newspaper of general circulation therein.



Section 25.2 Nothing contained herein shall be taken to limit the right given to the respective county or city committees to prescribe some other method of making nominations consistent with the Plan of Organization of the Democratic Party of Virginia.

## ARTICLE 26

### PROCLAIMING UNOPPOSED CANDIDATES

Section 26.1 Whenever within the time prescribed by law for filing declarations of candidacy there shall be no more candidates who have qualified than there are nominations to be made for the particular office or offices in question, then such candidate or candidates shall become the nominee or nominees of the Democratic Party for such office or offices and no primary shall be held for same.

Section 26.2 The chairperson of the committee under whose direction the primary would have been held shall by proclamation set out the facts and declare that the person or persons qualifying to be the party nominee or nominees are entitled to the support of all Democrats in the ensuing election. Such proclamation shall be given such publicity as said chairperson may deem proper.

## ARTICLE 27

### GENERAL PROVISIONS RELATING TO PRIMARIES

Section 27.1 In the event of a vacancy occurring after the nomination of a candidate by primary and before the general election or in the event that no candidate qualifies for a primary, then the committee having jurisdiction shall determine the manner in which such vacancy shall be filled.

Section 27.2 Any declaration of candidacy which substantially complies with the form provided in the election laws of Virginia relating to primary elections shall be sufficient for all Democratic primary elections. Delivery of properly signed and attested declarations of candidacy, petitions properly executed when required by law, and receipts for all legal filing fees, to the proper committee chairperson (or the successor of his duties) in person, within the time prescribed by law, shall be valid filing regardless of the person by whom or the method by which such delivery is accomplished, and all such candidacy documents shall be open to inspection and challenge by any candidate or member of the committee having jurisdiction over such primary election.

Section 27.3 All provisions of any former Plan of Organization or Primary Plan and all rules and regulations of any party committee or any former Democratic state convention which are inconsistent with the provisions of these Plans are hereby repealed.

Section 27.4 In the event of a challenge to a prospective voter in a Democratic primary election held in accordance with the provisions of the state election laws on the grounds that such person is not a Democrat, it shall be sufficient for said person to state verbally in the presence of two or more election officials that he (1) is a Democrat and (2) does not intend to support

any candidate opposed to a Democratic nominee in the next ensuing general or special election.

## PLAN OF PROCEDURES

### ARTICLE 31

#### AVAILABILITY OF PLAN OF PROCEDURES

Section 31.1 The procedures governing mass meetings, city or county conventions, congressional district conventions and state conventions shall be furnished to every member of the State Central Committee and every county and city chairperson upon their election or upon request.

Section 31.2 Any Democrat may request a copy of same from the chairperson of a city or county or district Democratic committee. Any Democrat may request a copy of these procedures from the chairperson of the State Central Committee, who shall furnish these procedures without charge.

Section 31.3 The Democratic Party of Virginia shall maintain a sufficient supply of these procedures in the party's headquarters for the purpose of promptly fulfilling all requests for same.

### ARTICLE 41

#### PROCEDURES GOVERNING MASS MEETINGS, COUNTY OR CITY CONVENTIONS OR CONGRESSIONAL DISTRICT CONVENTIONS

Section 41.1 Any Democratic committee established under the Organizational Plan of the Democratic Party of Virginia may call a mass meeting or convention within its jurisdiction for any purpose which is not inconsistent with all provisions of the Party Plans. The committee issuing the call shall specify the place of the mass meeting or convention. Further, the call notice shall clearly state the purpose for which the mass meeting or convention is called and may restrict the purpose thereof to that for which it is called. In both cases, the chairperson calling the mass meeting or convention shall be responsible for the convention arrangements and insure that all requirements of the Party Plans are satisfied.

Section 41.2 When any Democratic committee is calling a convention for any purpose, the delegates to such convention shall be allocated on a formula based equitably on population and/or Democratic voting strength.

Section 41.3 Delegates and alternate delegates to a Democratic convention may be elected by mass meeting or convention as selected by the local Democratic committee in accordance with this plan and said committee shall specify the method by which a person becomes a candidate for delegate or alternate delegate which may include a requirement for filing prior to the convening of such meeting or convention. In which case, the committee calling the convention or mass meeting shall prepare sufficient copies of a written ballot listing the names of all candidates who have filed in accordance with the requirement. In any convention or mass

meeting held for the election of delegates and alternate delegates at any level of the process of selecting delegates to a Democratic National Convention, concerned with the nomination of a presidential candidate, each candidate for delegate or alternate delegate upon the request of any person participating in the convention or mass meeting, shall make known their preference for the Democratic nominee for President of the United States or the fact that he is uncommitted or undecided.

Section 41.4 In any Democratic convention, each delegate shall be entitled to one full vote, unless the committee calling the convention shall provide that certain delegates shall be entitled to less than a full vote. It shall be announced prior to their selection which delegate positions entitle the delegate to a whole vote, and which delegate positions entitle the delegate to less than a whole vote.

Section 41.5 The cumulative qualification fees required of any person to participate in a convention or conventions shall not exceed ten dollars and no mandatory assessments shall be allowed. In the event any party member is financially unable to pay a fee required to participate in a mass meeting or convention, such fee shall be waived, no fee of any kind may be charged for the right to attend and vote at a mass meeting.

Section 41.6 There shall be no ex officio or automatic voting delegates to any convention.

Section 41.7 Any Democrat may challenge any delegate or alternate delegate to any convention by written notification to the chairperson or secretary of the committee convening such convention no later than ten days after such delegate and alternate delegate has been certified to the secretary of such committee. Thereupon the chairperson or secretary of such committee shall send all challenges to the committee appointed to determine challenges. Notice, timely, under the circumstances shall be given to the challenged delegate or alternate delegate of the time and place for the determination of the challenge. Whenever the challenge of the delegate or alternate delegate is determined other than by the full convention, such action must be approved by the full convention as provided in Section 41.14. Challenges made to any delegate to a national convention shall be made and determined by the procedure established by the National Convention or the Democratic National Committee. However, the state convention or State Central Committee may establish procedures for the making of factual determinations or advisory findings in connection with such challenges.

Section 41.8 Whenever a convention shall have been called, the chairperson or his designee of each precinct, magisterial or equivalent district, ward, county or city meeting or convention that has selected delegates and alternate delegates to such convention, shall certify a list of the names and addresses and telephone numbers of the duly elected and accredited delegates and alternate delegates to the secretary of the Democratic committee that called the convention by delivery or mail within ten days after the election of such delegate and alternate delegates. The lists specified in this section and the list of candidates for delegate or alternate delegate who have qualified as such prior to a mass meeting or convention in accordance with the pre-filing procedure permitted in this plan shall be available to all interested Democrats at the time of filing or thereafter.

Section 41.9 Prior to the convening of a Democratic convention the committee calling the convention shall select a temporary rules committee, a temporary credentials committee and a temporary resolutions committee, consisting of as many members as the committee calling the convention may determine. The temporary credentials and resolutions committee of any convention shall report their findings and recommendations to the corresponding permanent committees of the convention. The temporary rules committee of any convention shall report to the committee calling the convention or if directed by such committee, shall report to the convention and to the permanent rules committee thereof. The report of the temporary rules committee or such report as modified by the committee calling the convention shall be issued as soon as practicable prior to the convention.

Section 41.10 The committee calling any convention shall cause to be made a temporary roll of the convention. This roll shall contain the names certified to the secretary of the committee, subject to the decision of any appellate or credentials committee with respect to the qualification of any delegate or alternate delegate and to a decision in any challenge which the calling committee shall decide shall be heard by it.

Section 41.11 In every Democratic convention or mass meeting the chairperson of the committee that called the convention or mass meeting or his designee shall serve as temporary chairperson. The temporary secretary of every Democratic convention or mass meeting shall be chosen by the temporary chairperson.

Section 41.12 The chairperson or his designee of the committee calling a mass meeting shall make arrangements prior to the meeting for the registration of each person attending by written certification that he is (a) a Democrat; (b) a registered voter within the jurisdiction for which the meeting is held; (c) believes in the principles of the Democratic Party; and (d) does not intend to support any candidate who is opposed to a Democratic nominee in the next ensuing election. The election of the permanent chairperson shall not take place until all persons seeking to register shall have had a reasonable opportunity to do so. No one who fails to make such written certification shall be permitted to vote or participate as a candidate in the mass meeting. The chairperson shall arrange if possible to have some procedure whereby challenged voter registration may be verified at the meeting. He shall also cause proposed rules of order to be prepared for the meeting and such rules shall be available for inspection and copying by any interested Democrat prior to the meeting. Until other rules are adopted, the proposed rules not in conflict with the Party Plans shall govern the conduct to the meeting. The first order of business following the election of the permanent chairperson and the appointment of the permanent secretary shall be the adoption of the rules.

Section 41.13 Until any Democratic convention shall have adopted its own rules of procedure, the proceedings thereof shall be governed by the temporary rules as provided herein but which rules shall not conflict with the Party Plans. In the absence of applicable provisions of the Party Plans or of temporary or permanent rules the most recent edition of Robert's Rules of Order shall govern the proceedings of any convention.

Section 41.14 In any convention, the first order of business following the installation of temporary officers and the selection of standing committees if any, shall be the report of the credentials committee. Until such report has been adopted or rejected, the temporary roll of the convention shall entitle those delegates and alternate delegates listed thereon to participate in the business

of the convention; provided, however, that no delegate whose right as such is contested shall vote on any question involving his right to sit as a delegate.

Section 41.15 Except as otherwise required by Section 51.17 any Democratic convention or mass meeting that chooses delegates and alternate delegates to another Democratic convention, both the delegates and alternate delegates shall be elected on the basis of the number of votes received. The committee calling the convention may provide whether the alternate delegates shall be elected separately from the election of the delegates or whether the alternate delegates shall be those persons with the next highest number of votes after the persons receiving the largest number of votes shall be elected as delegates. Except in the case of a convention or mass meeting in any stage of the delegate selection process concerned with the nomination of a presidential candidate, the committee calling such convention or mass meeting shall by appropriate resolution provide rules governing what action shall be taken in the event of a tie vote at any stage in the election process. Whenever an alternate delegate to such convention succeeds to delegate status the delegation may select a replacement for such alternate delegate, provided that no less than forty per cent of the delegation is present at the time such replacement is selected, and provided that such replacement shall succeed to delegate status only after the number of duly chosen alternate delegates shall have been exhausted.

Section 41.16 In any Democratic convention, upon the vote of twenty-five per cent of any committee or by petition of ten per cent of delegates to said convention, a minority report shall be prepared and presented to the floor of such convention.

Section 41.17 Any individual or group of Democrats may sponsor or endorse a slate of candidates for delegates to any convention. But no slate may, by virtue of such endorsement, receive preferential treatment or a preferential place on a delegate selection ballot or be publicly identified on the ballot as the "official" slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.

## ARTICLE 51

### PROCEDURES GOVERNING STATE CONVENTIONS

Section 51.1 In each year in which a President of the United States is to be elected, the Democratic State Central Committee shall meet as soon as practicable after January 1 of that year and call a State Convention which shall be the plenary body of the Democratic Party of the Commonwealth of Virginia.

Section 51.2 When a State Convention is called, the delegates to such convention shall be allocated on a formula based equitably on population and/or Democratic voting strength.

Section 51.3 The call notice shall be issued by the chairperson or secretary of the State Central Committee calling the convention to each county and city committee which shall meet and determine whether it shall select the delegates to represent such county or city by either mass meeting or convention.

Section 51.4 Whenever a county or city committee decides, by appropriate

resolution, to select the delegates and alternate delegates representing such county or city by the convention method, it shall determine whether the allocation of the delegates to such county or city convention shall be by precinct, ward, magisterial or equivalent district, and shall apportion such delegates and alternate delegates on the same basis as that used by the State Central Committee in apportioning the delegates among the counties and cities. Such county or city convention shall be held on a Saturday which shall be on the same date in every county and city in conformance with the call issued by the State Central Committee.

Section 51.5 Whenever a county or city committee decides by appropriate resolution to select its delegates and alternate delegates to a state convention by the mass meeting method, it shall determine the place of such mass meeting, which shall be a public place, convenient and accessible to the Democrats of such county or city on a Saturday which shall be held on the same date in every county and city in conformance with the call issued by the State Central Committee.

Section 51.6 Mass meetings to choose delegates to the county or city convention which county or city convention will ultimately choose delegates directly to a state convention, shall be held on a Saturday two weeks prior to the county or city convention in conformance with the call issued by the State Central Committee.

Section 51.7 Notice of the mass meetings described above shall satisfy all the requirements of the notice requirements of the Party Plans. Such notice shall also clearly state that the purpose of such mass meeting is part of the process of electing delegates to a state convention, and when applicable that such mass meeting is an integral part of the process of selecting the Democratic nominee for President of the United States. Such notice shall clearly delineate other party business from the process of selecting the Democratic nominee for President.

Section 51.8 When any Democratic county or city committee shall allocate delegates and alternate delegates to a state convention among its political subdivisions, or when any such committee shall establish a basis of representation among its political subdivisions in a meeting or convention to choose delegates and alternate delegates to a State Convention, such delegates and alternate delegates shall be chosen on the same basis of representation as that used by the State Central Committee in allocating delegates and alternate delegates to the counties and cities for such state convention.

Section 51.9 The chairperson of each city and county committee holding a mass meeting or convention to select delegates to a state convention shall, within fifteen days after the election of delegates mail or deliver to the secretary of the State Central Committee a certified list of the names, addresses and telephone numbers of the delegates and alternate delegates. These lists and the lists of candidates for delegates or alternate delegates who have qualified as such prior to a mass meeting or convention in accordance with the pre-filing procedure permitted in the Party Plans shall be available to all interested Democrats at the time of filing or thereafter.

Section 51.10 Temporary credentials, rules and resolutions committees shall be established for the state convention. One member of each temporary committee shall be elected by each district committee and five elected by the State Central Committee using cumulative voting. The temporary credentials and resolutions committee of any convention shall report their findings and recommendations to the corresponding permanent committees of the convention. The temporary rules

committee of any convention shall report to the committee calling the convention or if directed by such committee, shall report to the convention and to the permanent rules committee thereof. The report of the temporary rules committee or such report as modified by the committee calling the convention shall be issued as soon as practicable prior to the convention.

Section 51.11 Each state convention shall be preceded by a convention of the delegates, chosen to said state convention from each congressional district, the district conventions meeting separately. The temporary credentials committee of the state convention, chosen as provided in the Plan of Organization, shall constitute the temporary credentials committee of each such district convention. The Democratic congressional district committees or the State Central Committee may provide for the time and/or place of holding the district convention, provided that said time and place of the convention shall be accessible to the participants. Further the district convention shall be convened no later than six hours prior to the convening of the state convention. The chairperson of the congressional district committee or his designee shall serve as temporary chairperson. The temporary secretary shall be chosen by the temporary chairperson.

Section 51.12 Each such congressional district convention shall receive the report of the temporary credentials committee of the Democratic state convention, with respect to the delegates and alternate delegates representing its district and determine the right of each delegate to his position as such in the district convention in accordance with the provisions of the Party Plans. Such congressional district convention may select a credentials committee. In all other respects such congressional district conventions shall be governed by the provisions of the Party Plans.

Section 51.13 Each congressional district convention preceding a Democratic state convention shall nominate three members each to the permanent credentials, permanent organization, rules and resolutions committees of the Democratic state convention.

Section 51.14 On the recommendation of the temporary credentials committee, the Steering Committee may order that a new delegation be elected to the state convention from any county or city for which the temporary credentials committee finds that delegates and alternate delegates have been elected in a manner inconsistent with the Party Plans.

Section 51.15 When the call notice directs, each congressional district convention held prior to a state convention shall elect the number of delegates and alternate delegates to a Democratic National Convention allocated by the State Central Committee. Each such congressional district convention shall elect at least one Democratic presidential elector and fifteen members of the Democratic State Central Committee. All disputes or contests regarding elections by the district conventions shall be resolved by the state convention. The presidential electors shall be deemed to be nominees and candidates of the Democratic Party of Virginia. Should they be elected in the general election following, they shall cast their votes in the Electoral College for the presidential nominee of the National Democratic Party.

Section 51.16 A state convention may elect such delegates and alternate delegates to a Democratic National Convention as Virginia is entitled to by decision of the Democratic National Committee, remaining over and above those

delegates and alternate delegates allocated to the congressional district conventions. Such delegate and alternate delegates to be elected by the state convention, at large, shall be nominated from the floor of the convention.

Section 51.17 Notwithstanding any other provision of the Party Plans, in the case of a mass meeting or convention in any stage of the delegate selection process concerned with the nomination of delegates and alternate delegates to a national convention, the call to such national convention or any implementation thereof as promulgated by the National Democratic Party as implemented by the State Central Committee shall prevail and govern such process.

Section 51.18 The cumulative qualification fees required of any person to participate in a state convention shall not exceed ten dollars and no mandatory assessments shall be allowed. In the event any party member is financially unable to pay a fee required to participate in a state convention, such fee shall be waived.

#### AMENDMENTS

Article V, Section 5.1, insert the words "Secretary, Treasurer" following the words "Second Vice Chairperson." Strike the last phrase of the last sentence of Section 5.1, to wit: "but shall have no vote thereon."

Article IV, Section 4.2, insert after the words "Second Vice Chairperson of the Democratic State Central Committee" the following words: "Secretary, Treasurer." Strike entire sentence following pertaining to the nomination of the Secretary and Treasurer. Add the words "Secretary, Treasurer" after the words "Second Vice Chairperson" in the next sentence. (Adopted by the State Central Committee 12/5/76.)

Article IV, Section 4.1 following the words "Democratic members of the United States Congress" add "Democratic statewide elected officials, i.e., Governor, Lieutenant Governor and Attorney General."

Article VI, Section 6.1, add the following words: "In addition, Democratic elected officials holding federal or statewide office, i.e., U. S. Senator, U. S. Representative, Governor, Lieutenant Governor, and Attorney General, shall serve as committee members in the district where they maintain voting residence". (Adopted by the State Central Committee 12/10/77.)

Article 51, Section 51.18, change ten dollars to fifteen dollars.  
(Adopted by the State Central Committee 1/21/78.)