

## **BY LAWS OF ACT**

We the people of ACT, in order to make real our beliefs, facilitate effective participation in the political process, promote Justice for all, ensure tranquility of our neighborhoods, our cities, our nation and our world, provide for the common defense of all peoples against tyranny and oppression in any guise, promote the general welfare and harmony of people and protect the natural resources our planet and secure the Blessings of Liberty for all people do ordain and establish these articles for the members of ACT.

Further, we the members of ACT recognize that the achievement of our ideals begins as we approximate these ideals in our strivings. We re-assert one of the basic tenets of democracy that truth has a unique power of its own and the lasting test of such truth is its ability to survive honest scrutiny. These principles in no way diminish the necessity of knowledgeable assessment of power relationships or some of the lessons of “practical politics”, These latter values can be essential servants of our highest ideals.

In keeping with the principles that we as members of ACT have set forth, we would like to recommend these goals:

- A. To promote and assist causes and candidates who appeal strongly to the philosophy of this organization.
- B. To provide an open forum for all interested candidates so that issues of interest to the membership can be discussed.
- C. To provide means of communication to the membership through a newsletter.
- D. To establish monies for the use of the organization.
- E. To serve the community through a series of community forums and workshops, thereby attracting new members.

### **I. AUTHORITY**

- A. All powers of ACT shall reside in the General Membership.
- B. Only members can vote at any meeting.

## **II. MEMBERSHIP**

A. Membership shall be determined by payment of dues. Dues shall be set by the Steering Committee.

B. A membership form shall be submitted by or for each person or household requesting to be a member or members. A separate check or other form of separate payment shall be submitted with each new membership.

C. The membership terms shall be one year and shall run from January 1, through December 31, with a three month grace period for renewal.

## **III. MEETINGS**

A. General Membership meetings shall be held at least twice a year. Additional meetings shall be called by the Steering Committee as necessary, or upon petition by 15% of the General Membership.

## **IV. ADMINISTRATION**

A. The administration of ACT shall consist of a Steering Committee composed of officers, committee chairpersons and past presiding Chairpersons.

B. The General Membership, at a regularly scheduled meeting, shall elect officers: no more than three nor less than two presiding chairpersons, and at least one secretary and at least one treasurer.

C. The terms of office for members of the Steering Committee shall be two years. Elections shall be held within three months following statewide general elections.

D. A recall election shall be held upon petition of 20% of the General Membership.

E. The Steering Committee may appoint temporary offices in the event of a vacancy until the next General Membership meeting, at which a successor will be elected for the remainder of the term.

F. Committee Chairpersons shall be appointed by the Steering Committee.

## **V. POWERS AND RESPONSIBILITIES OF THE STEERING COMMITTEE**

A. Steering Committee Meetings shall be held monthly. Meeting shall be advertised and open to the membership. All ACT members active on committees may vote on all matters.

B. The Steering Committee shall establish committees and forays as it deems appropriate. The Steering Committee shall establish Standing Orders to facilitate the orderly functioning of the organization. Standing Orders and amendments to Standing Orders must be approved by a 2/3 vote of those attending a Steering Committee meeting.

C. The Steering Committee shall be authorized to make policy decisions on consensus issues among ACT members where time or other factors do not permit consultation with the General Membership. Consensus issues, for the purpose of these bylaws shall be said to exist when 3/4 of the Steering Committee present at a regularly scheduled meeting, or when 3/4 of the total Steering Committee at a Special Meeting, or when polled, agree, or when 3/4 of the total Steering Committee at a Special Meeting, or when polled, agree. The Steering Committee shall inform the General Membership of such decisions in the next newsletter.

D. The Steering Committee shall authorize expenditures for routine administrative functions, including fund raising and program events. Further, the Steering Committee is authorized to spend funds as it deems necessary on consensus issues among ACT members between General Membership meetings. The Steering Committee may establish a contingency fund.

E. Nine Members of the Steering Committee shall constitute a quorum.

## **VI. ENDORSEMENTS AND ORGANIZATIONAL SUPPORT**

A. There is no quorum requirement.

B. ACT may offer its organizational support to causes or candidates upon a 60% majority in an endorsement ballot. Organizational support shall consist of access to all files and materials and such monies as voted by the Steering Committee.

C. If 3/4 of the Steering Committee present at a regularly scheduled Steering Committee meeting, or 3/4 of the total Steering Committee at a special meeting, agree that there are more than three candidates whose philosophies are consistent with those of ACT and who have substantial support among ACT members, then the Steering Committee may, before the balloting, reduce the required percentage for organizational support to 50% plus one of those voting.

D. All ballots may or may not be accompanied by a recommendation of the Steering Committee for each race or issue. Balloting shall be conducted by mail and/or at a special election meeting.

E. The General Membership shall be notified as feasible of Steering Committee meetings or other committee meetings at which action on endorsement or endorsement procedures will take place.

F. Upon petition of 20% of the membership the Steering Committee shall issue a special endorsement ballot.

## **VII. ELECTION PROCEDURES**

The membership of ACT recognizes that ACT is a democratic organization dependent on the good will of its members. Towards this end the following rules shall govern the election procedures for ACT endorsements. The purpose of these rules is to prevent the manipulation of the endorsement process, to safeguard the voting privileges of members and to further the democratic principles and procedures of ACT.

A. A new member who wants to vote on ACT endorsements must become a member by the meeting of the Steering Committee at which recommendations for endorsements are made to the General Membership

B. Members must be eighteen years of age or older in order to vote in ACT endorsement elections.

C. No proxies or duplicated ballots may be used in ACT endorsement elections.

D. The Election Procedure Committee shall devise a system to stamp, emboss or sequentially number each ballot and ballot envelope with the goal of ensuring the integrity and privacy of the ballot.

E. Each completed ballot sent in by mail shall be submitted in the ACT ballot envelope. Each voting member in the household must sign the outside of the ACT ballot envelope.

F. Each member who casts his or her ballot at a General Membership Meeting at which an election is held to vote on endorsements must sign a voter roster and submit his or her ballot to the Election Procedures Committee member present not more than ten minutes after the last speaker. The person chairing the General Membership meeting shall announce the specific deadline for submission of all ballots.

G. The counting of ballots for any ACT election shall be conducted by the Elections Procedures Committee. No persons other than the Co-Chairs of ACT or representatives of candidates being considered for ACT's endorsement may observe the counting of ballots. Such observers shall be permitted to view the ballot counting process only if they remain silent and do not physically interfere with the persons counting the ballots.

H. Any challenges to specific ballots shall be decided by a majority of the Co-Chairs of ACT.

## **VIII. Access to ACT General Files and Computer Data**

A. Except for those circumstances outlined below, no access to the ACT files and computer data (herein known as files) shall be granted without the formal endorsement of the General Membership acting in accordance with the procedures for endorsement set forth in these By-laws.

B. The Steering Committee shall have the authority to permit access to ACT files in advance of formal endorsement of the requesting party if and only if:

1. Written notice of the intention to make the request at a regular meeting of the Steering Committee is received by the Steering Committee members at least seven (7) days in advance of the meeting. (If notice is mailed at least twelve (12) days prior to the meeting, this shall constitute a presumption that the required seven (7) days notice requirement has been satisfied.)

2. A quorum of the Steering Committee is present at the time of voting on the request. (No telephone polling or proxies of any kind shall be permitted.)

## **IX. AMENDMENT TO THE BYLAWS**

A. The General Membership may amend these bylaws by a simple majority of those voting on the amendment. Amendments shall be proposed upon petition by 20% of the General Membership or by the Steering Committee.

B. Proposed amendments shall be published and submitted to the General Membership for a vote. All changes not accepted shall be referred to committee

Adopted 1973

Amended June 18, 1975

Amended October 15, 1975

Amended November 1979

Amended January 2014

## STANDING ORDER 1

### A. RULES AND PROCESS APPLICABLE TO ENDORSEMENT OF ALL CANDIDATES AND BALLOT PROPOSITIONS

In addition to the procedures specified in the ACT Bylaws, the following rules shall be followed in the process of determining all ACT endorsements of candidates and ballot propositions of all candidates: ("Propositions referred to herein refers to initiative, referenda, recalls, propositions and ballot measures). The ACT Research Committee is an advisory committee to the Steering Committee. Any member of ACT can participate in the Committee's interviews of candidates and discussion of propositions and vote on endorsements to be recommended to the Steering Committee.

1. The ACT process for endorsement should be expedited where feasible but should not be done in ways that sacrifice its strengths and integrity. At an appropriate time, but preferably no later than the close of filing, the chair of the Research Committee shall tentatively recommend to the Steering Committee the races on which ACT will take a position.
2. If any individual or group should make a presentation at a Steering Committee meeting relating to a ballot proposition or candidate endorsement there must also be an opportunity for those on the other side to make a presentation before any endorsement or recommendation can be made. Normally such matters should be referred to the Research Committee before any decision is made.
3. The three step process of (1) Research Committee interviews, recommendations, and report; (2) Steering Committee consideration, recommendation, and report; and (3) elections provides a system of checks and balances.
4. The ultimate endorsement decision in all matters resides with the General Membership and shall not be vested with the Steering Committee except as otherwise provided in the bylaws.
5. The process of providing a mailed ballot to members in primary elections maximizes participation by the greatest number and widest breadth of the ACT membership. Endorsements in primary races shall not be made solely by those that are able to come to a General Membership Meeting.

6. The Research Committee's voting results, the Steering Committee's voting results and the Steering Committee Report with a ballot shall be sent out in first class mailer either as a special edition of *The Phoenix* or as a special mailing to expedite the process.

7. The standard form letter inviting candidates to interview with the Committee shall contain an additional sentence which precludes the candidate from stating that he or she is endorsed or recommended by the ACT Research or Steering Committees and advises him or her that only upon a formal ACT endorsement by the General Membership may the name ACT appear in his or her mailings or statements.

8. The standard form letter inviting candidates to interview with the Research Committee shall state that ACT is a non-partisan, progressive organization with a history of endorsing progressive candidates. This letter shall include names of persons and related issues ACT has endorsed in the past.

9. Candidates shall not be sent questions in advance but should be expected to bring resumes to the interviews.

10. ACT members who are the candidates' spouses family members, office staff, anyone serving in an official capacity with the candidates' campaigns or an incumbent in any seat on the same governing body may not be present or participate in the interviews for that seat.

11. The Research Committee and its recommendations are absolutely confidential until presented to the Steering Committee. Only Research Committee Members who participate in the interviews shall be entitled to know what the Steering Committee recommends until the report is presented at the Steering Committee meeting.

12. The Research Committee Report when presented and distributed to the Steering Committee is not a public document and may not be released to candidates or non-Steering Committee members. This document shall be considered "off the record" for purposes of disclosure to the press. The Report shall be collected at the end of the Steering Committee's deliberations. The Co-Chair presiding at the meeting of the Steering Committee and the Research Committee Co-Chair shall prepare the report of the Steering Committee to be sent to the General Membership with a ballot. They shall edit the report from the Research Committee for consistency in length and substance among the candidates seats and propositions and an accurate reflection of the thinking of both the Research and the Steering Committee. The only document that may be released is the



official report of the Steering Committee when published in *The Phoenix* and only in that form.

13. At the Steering Committee meeting at which recommendations for endorsement are considered, the Co-Chair or Research Committee Co-Chair shall make an announcement explaining the ACT endorsement process and explaining that no-one candidate may use the ACT name to imply an endorsement until the membership votes and endorses that candidate or proposition.

14. Candidates may attend the ACT Steering Committee meeting at which endorsements are considered when the Research Committee Report is to be presented. Before the presentation of that report, all candidates must leave even if the candidate is a Steering Committee member who has an interest in voting on other races. Also, any ACT members in attendance, including Steering Committee members, who are the candidates' spouses or family members, must leave during the presentation of the Research Committee Report for that seat. Office staff or anyone serving in an official capacity with the candidate's campaign must disclose their relationship. Candidates and their family and spouses may vote by proxy.

15. No candidate may make any speech or general remarks to the Steering Committee on the night that the Steering Committee is considering making its recommendations for endorsement to the General Membership.

**B. ADDITIONAL RULES AND PROCESS FOR ENDORSEMENT OF CITY COUNCIL AND SCHOOL BOARD CANDIDATES AND OTHER CANDIDATES FOR NON-PARTISAN OFFICES**

In addition to the procedures in the ACT Bylaws and the rules specified in Part A of this Report, the following rules are to be followed in the process of determining ACT endorsement of candidates for City and School Board and other non-partisan elections:

1. The filing deadline for candidates in the March City Council election is early December. Therefore, whenever possible, both the Research Committee interviews and the Candidates Forum should be conducted no later than early January. (See attached Model Endorsement Time Line.) Care should be taken not to schedule the Forum on a date when the PUSD Board of Education, the City Council, or the PCC Board of Trustees is meeting.
2. If an incumbent was previously endorsed by the General Membership for his/her

current seat and is unopposed, the Steering Committee may recommend him/her for endorsement without consideration by the Research Committee.

3. For City Council and School Board run-off elections in which ACT has not already endorsed a candidate in that run-off, a Steering Committee Meeting shall be held at which any ACT member may attend and vote for endorsement of a candidate. No mailed ballot shall be required for endorsement of candidates in City Council and School Board run-off elections. Special Notice of the meeting shall be provided in the preceding *Phoenix* where feasible or by special written notice to all members. The location of the meeting shall be accessible to the physically disabled. For other non-partisan run-off elections in which ACT has not already endorsed a candidate in that run-off, the Steering Committee may either vote for endorsement at a Steering Committee meeting at which any ACT member can vote as specified in Section B.2 above or may send an endorsement ballot to the General Membership in accordance with the ACT Bylaws.

### **C. ADDITIONAL RULES AND PROCESS FOR ENDORSEMENT OF CANDIDATES IN PARTISAN RACES**

In addition to the procedures specified in the ACT Bylaws and the rules specified in Part A of this Report, the following rules are to be followed in the process of determining ACT endorsement of candidates in partisan races:

1. In those races where the ACT Research Committee decides to interview the candidates, all candidates in that race, regardless of political party affiliation, shall be invited to an interview with the Act Research Committee. However, when there are ten or more of candidates for a seat, the Research Committee may request permission from the Steering Committee only to interview candidates from the major parties.
2. If an incumbent was previously endorsed by the General Membership for his/her current seat and is unopposed in the primary by a member of his/her party, the Steering Committee may consider him/her for endorsement without the candidate's being interviewed by the Research Committee . However, the Research Committee will interview candidates for that seat who are members of other parties.
3. If the candidate endorsed by the General Membership loses in the primary, the Steering Committee may either vote for endorsement at a Steering Committee meeting at which any ACT member can vote as specified in Section B.2 above or may send an

endorsement ballot to the General Membership in accordance with the ACT Bylaws.

#### **D . RULES AND PROCESS FOR ACT TAKING STANDS ON ISSUES.**

ACT's taking stands on issues aims to influence our elected legislators on progressive issues, to reach out and support constituencies that are a part of a progressive coalition, and to articulate the core shared progressive values of our membership, while not interfering with the historic primacy for ACT's role in supporting the election of progressive public officials, in supporting electoral success for progressive propositions, initiatives, and referenda, and in opposing anti-progressive propositions, initiatives, and referenda.

##### **1. Overview of process:**

All stands on issues by ACT shall be pursuant to a three-step process in the following order: (1) consideration by an Issues Committee, (2) consideration by the Steering Committee, and (3) polling of the General Membership.

##### **Step 1: Issues Committee consideration.**

The ACT Steering Committee shall appoint an Issues Committee. The Issues Committee may meet monthly between Steering Committee meetings so as to make a Report to the Steering Committee on no more than one issue for consideration at any monthly meeting. As used herein, "one issue" can mean separate but related resolutions which can be voted on separately. The Steering Committee may, by majority vote of the Act members attending a Steering Committee meeting, direct the Issues Committee to consider a specific issue and report to the Steering Committee on that issue at the next meeting. If the Steering Committee does not direct the Issues Committee to consider a specific issue, the Issues Committee may decide which issue, if any, to consider and report out to the Steering Committee. The Issues Committee Report to the Steering Committee shall frame any issue as a resolution or resolutions that may be voted on by the General Membership and shall contain an argument for the resolution(s) suitable for inclusion in *The Phoenix* and, if there are differences on the issue, an argument against the resolution(s) suitable for inclusion in *The Phoenix*. Any person, whether or not a Member of Act, may make proposals to the Issues Committee that it consider an issue, but which issues to take up shall be solely at the discretion of the Steering Committee or, if the Steering Committee does not direct consideration of an issue, at the discretion of a majority of the Act members attending an Issues Committee meeting.

### **Step 2: Steering Committee consideration of an Issues Committee Report:**

At its monthly meetings at which it has received an Issues Committee Report, the Steering Committee shall consider the Report and may amend or revise the Report by a majority vote of the ACT members attending the Steering Committee Meeting. By a vote of at least 60% of the ACT members attending a Steering Committee meeting, a Report may be recommended by the Steering Committee and referred for a vote by the General Membership. No Steering Committee approval of a Report shall constitute a stand on the issue by ACT unless it is approved by the General Membership as provided for in Step 3.

### **Step 3: General Membership approval.**

If the ACT members attending a Steering Committee meeting, by a vote of at least 60% , submits a Report to the General Membership, a polling of the membership on the issue shall be sent out in the next *Phoenix*. If 75% of the General Membership voting supports the resolution(s) submitted, the stand on the issue shall become a stand on the issue by ACT until and unless there is a repeal of the support of the issue by 50% of the General Membership voting in a poll proposing its repeal. Upon approval of an issue by the General Membership, the Steering Committee and other duly-constituted committees of ACT may take such steps as they deem appropriate to communicate an issue-stand to public officials, the media, and to other organizations and constituencies. The Research Committee shall communicate to candidates ACT's stands on issues.

## **2. Procedure for Previous Act Stands on Issues:**

Where ACT has previously endorsed a ballot proposition, the Steering Committee by a 75% vote of the Steering Committee Members in attendance at a regularly scheduled Steering Committee meeting, may translate previous ballot proposition endorsement into an issues-stand; such an issues-stand may thereafter be treated in the same manner as any other issues stand approved by the procedures set out in the preceding sections 1-5.