

## **BYLAWS and RULES Pertaining to the election and position of Moderator**

### **ARTICLE VIII Officers of the Association**

#### **\*SECTION 8.1. Officers Enumerated.**

- a Elected Officers. The elected officers of the Association shall be a Moderator, a President, and a Financial Advisor.
- b Appointed Non-salaried Officers. The appointed non-salaried officers of the Association shall include one or more Vice Moderators, a Secretary, and a Recording Secretary and may include such other officers as the Board of Trustees may appoint.
- c Appointed Salaried Officers. The appointed salaried officers of the Association shall include a Treasurer, and may include one or more vice presidents, assistant treasurers, and such other officers as the Board of Trustees may determine.

#### **SECTION C-8.2. Control by Board of Trustees.**

All officers shall be subject to the direction and control of the Board of Trustees. All appointed officers shall be appointed by the Board of Trustees and shall serve at its pleasure.

#### **SECTION 8.3. Term of Office.**

- a Elected Officers. The elected officers shall be elected at a regular General Assembly in an odd-numbered year and shall take office immediately after the close of such General Assembly.
  - 1 President. The President shall serve for a term of four years and until his or her successor is elected and qualified. No President shall serve more than two successive terms; and any partial term of more than two years served by reason of appointment and/or election to office pursuant to subsection 8.7(a) below shall be considered a full term for purposes of this subsection.
  - 2 Moderator and Financial Advisor. The Moderator and Financial Advisor shall each serve for a term of four years and until his or her successor is elected and qualified. No Moderator or Financial Advisor shall serve more than two successive full terms; and any partial term of more than two years served by reason of appointment and/or election to office pursuant to subsection 8.7(a) below shall be considered a full term for purposes of this subsection.
- b Appointed Non-salaried Officers. The appointed non-salaried officers shall serve for one or more terms of two years and until their successors are appointed and qualified.

**SECTION 8.4. Qualification of Officers.**

Each officer of the Association shall be a member of a member congregation. If an officer ceases to be a member of any member congregation, such officer shall be disqualified and the office declared vacant.

**SECTION 8.5. Removal of Officers.**

- a Elected Officers. An elected officer may be removed by a three-fourths vote of the entire Board of Trustees at a meeting at which not less than three-fourths of the entire Board is present if in the opinion of the Board such officer is incapacitated or unable to carry out the duties of the office. The President may also be removed by such a vote of the Board if it determines that such removal is in the best interests of the Association.
- b Appointed Officers. An appointed officer may be removed by the Board of Trustees at any time.

**SECTION 8.6. Resignation.**

An officer may resign at any time by giving written notice to the Moderator, who shall immediately forward copies to the Board of Trustees. Any such resignation shall take effect at the time specified therein, or, if no time is specified, then upon delivery.

**SECTION 8.7. Vacancies.**

- a Elected Officers. A vacancy created by the death, disqualification, resignation, or removal of an elected officer shall be filled by the Board of Trustees until the next regular General Assembly at which an election can be held. The vacancy shall then be filled by election for the balance of the unexpired term, if any.
- b Appointed Non-salaried Officers. A vacancy created by the death, disqualification, resignation, or removal of an appointed non-salaried officer may be filled by the Board of Trustees for the balance of the unexpired term.

**SECTION 8.8. Moderator.**

**The Moderator shall preside at General Assemblies and meetings of the Board of Trustees and the Executive Committee. The Moderator shall represent the Association on special occasions and shall assist in promoting its welfare.**

**ARTICLE IX Nominations and Elections**

**SECTION 9.1. Elective Positions.**

The elective positions of the Association include the elective positions at large and those trustee positions where the election occurs at the district level. The elective positions at large of the Association are those of the elected officers, those trustees not elected at the district level, and the elected members of the

standing committees of the Association. No person shall hold more than one elective position at a time whether by election or appointment. Ex officio positions for the purposes of this Bylaw provision shall be deemed part of the elected position from which the ex officio position is derived.

**SECTION 9.2. Nomination Procedures.**

The nomination procedures set forth in these Bylaws and the Rules adopted hereunder are exclusive, and no person who is not nominated in accordance with such procedures can be elected to any elective position.

**SECTION 9.3. Notice by Nominating Committee.**

On or before August 1 of each even-numbered year, the Nominating Committee shall notify all certified member congregations in writing of the elective positions at large and vacancies to be filled at the next regular General Assembly.

**SECTION 9.4. Nomination by Nominating Committee.**

The Nominating Committee shall submit one or more nominations for each elective position at large to be filled, except Moderator and President, including those to fill any vacancies occurring prior to October 1 of the year before the election. Only one person from any one member congregation shall be thus nominated to serve on the Nominating Committee. The report of the Nominating Committee shall be filed with the Secretary of the Association and be mailed to all certified member congregations, associate member organizations, and trustees on or before December 10 of each even-numbered year.

**SECTION 9.5. Nomination by Petition.**

- (a) For Moderator and President. A nomination for the office of Moderator or President, or to fill a vacancy in an unexpired term occurring prior to December 1 of the year before the election shall be by petition signed by no fewer than twenty- five certified member congregations, including no fewer than five certified member congregations located in each of no fewer than five different districts. A certified member congregation may authorize the signing of a petition only by vote of its governing board or by vote at a duly called meeting of its members. Such a petition shall be filed with the Secretary of the Association, only in such form as the Secretary may prescribe, not later than February 1 of the year of the election and not earlier than the preceding March 1. If no valid and timely nomination is made by certified member congregations, the Board of Trustees shall nominate one or more candidates for the office.
- (b) (b) For Other Elective Positions at Large. A nomination for any other elective position at large or to fill a vacancy in an unexpired term occurring prior to December 1 of the year before the election may be by

petition signed by not less than fifty members of certified member congregations, with no more than ten signatures of members of any one congregation counted toward the required fifty. A separate petition, in form prescribed by the Secretary, shall be filed for each nomination not later than February 1 of the year of the election and not earlier than the preceding October 1.

Nominations for youth trustee at large shall be so designated.

## **RULE IX Nominations and Elections**

### **SECTION 9.10. Counting of Ballots.**

#### **Rule G-9.10.1. Tie Votes.**

Except in the election of a President, if a tie vote occurs in filling an office when only one person is to be elected, or occurs in filling a slate of officers when the slate cannot be completed without resolving the tie, then as soon as possible before the final adjournment of the General Assembly involved, additional ballots shall be cast by those present and entitled to vote, except that initially the Moderator shall not vote. The additional ballots shall contain only the names of the candidates who are tied. These ballots shall be counted along with a recounting of the ballots cast for the tied candidates by absentee ballots, and the result of the foregoing procedures shall determine the election, unless there is still a tie, in which case the Moderator shall then cast a ballot to resolve it.

#### **Rule G-9.10.2. Tie Vote-Moderator.**

If the tie involves the election of a Moderator, the proceedings to resolve the tie shall be presided over by the Secretary of the Association who in all matters involving the resolutions of the tie shall have the rights and duties of the Moderator.

#### **Rule G-9.10.3. Tie Vote-President.**

If, in the election of a President, in any particular counting of the preferential ballots, including absentee ballots, there is a tie vote among candidates having the least number of votes, then each such tied candidate shall be eliminated, and in the next counting, the ballots accumulated for said candidate shall be redistributed among the remaining candidates on the basis of the highest effective preferences marked on all the ballots that have been cast.

However, if in this process, such elimination leaves only a single candidate who in that counting still does not have a majority of the counted votes, or if only two candidates remain in the contest and they are tied, then there shall be as many run-off election procedures, conducted under the provision of Rule G-9.10.1 as are necessary to result in the election of a President by at least a majority of the votes cast.

### **SECTION 9.12. Rules for Nominations and Elections.**

#### **Rule G-9.12.1. Preparation and Mailing of Ballot.**

Unless no ballot is required according to Section 9.9(a), prior to each regular

General Assembly at which an election is to be held, the Secretary shall prepare ballots upon which shall appear the names of all persons who have been nominated for office in accordance with these Bylaws. One such ballot shall be sent with each credential card issued by the Secretary.

**Rule G-9.12.2. Order of Names on Ballot.**

On all ballots used in elections held by the Association the order of names shall be determined by the drawing of lots done by the Secretary and witnessed by two other persons. The Secretary shall certify the results of the drawing of lots, the certificate shall be attested by the witnesses, and the certificate shall be filed in the Secretary's office. This Rule shall be printed on all official ballots or on the instructions accompanying them.

**Rule G-9.12.3. Write-ins Prohibited.**

In any election, the use of stickers or the writing in of the name of any person on a ballot shall not be permitted and no vote so attempted shall be counted.

**Rule G-9.12.4. Absentee Ballots.**

An absentee ballot shall be counted only if accompanied by the signed and certified ballot stub of the credential card of the person casting the ballot.

**Rule G-9.12.5. Balloting at General Assembly.**

A person shall be qualified to cast a ballot at General Assembly only if that person presents to the Secretary of the Association or those employed by him or her at the polls a properly certified ballot stub plus a badge issued to that person and containing the same name as the name on the ballot stub.

**Rule G-9.12.6. Campaigns for Elective Office.**

- a Each candidate for an at-large elective position may submit to the Association a campaign statement or flyer on a paper measuring 8-1/2 by 11 inches. The Association will print and compile a packet made up of the statements of all candidates to be distributed to the congregations with the absentee ballots and to the delegates as a part of the final agenda.
- b Each candidate for an at-large elective position shall be given an opportunity to address the General Assembly delegates at a time when no other events are scheduled. All candidates for the same position shall be given the same amount of time to speak, in the same meeting as all other candidates for that position.
- c Candidates for at-large election positions are expected to conduct their campaigns, both privately and publicly, according to the highest standards of decorum and mutual respect.

**Rule G-9.12.7. Length of Campaigns for President and Moderator.**

- a Campaigns for President and Moderator may appropriately begin with small campaign committee organizational meetings and mass mailing letters no earlier than November 1 of the second year preceding the election.
- b Active campaigning and solicitation of endorsements shall not begin prior to January 1 of the year preceding these elections.
- c No electioneering (defined as publicly announced meetings, rallies or

exploratory events) of any sort shall occur at the General Assembly two years preceding the elections for President and Moderator. Private meetings about campaign organization that take place outside of General Assembly-booked meeting spaces are permissible.

**Rule G-9.12.8 Campaign Finances Disclosure.**

All candidates for at-large elective positions shall keep detailed and accurate records of:

- a their campaign expenses (stated in United States dollars) by categories of travel, postage, telephone, printing and other such categories as seem appropriate;
- b the number of contributors to their campaigns, including the number of contributors in each of the following categories:
  - 1 under \$50.00,
  - 2 \$50.00 to \$100.00,
  - 3 \$101.00 to \$250.00,
  - 4 \$251.00 to \$500.00, and
  - 5 over \$500.00, and
- c the number of contributions and the total amount of contributions received from each group or organization supporting the campaign.

No candidate for any elective position shall solicit or knowingly accept any contribution that is given through a tax-exempt entity with the purpose of conferring tax-exempt status to the contribution to which it would not otherwise be entitled. Such exempt entities include but are not limited to member congregations, associate member organizations and independent UUA affiliates. The names of contributors shall be disclosed. Each such report shall identify by name any member congregation, associate member organization or independent affiliate of the Association and any other tax exempt organization (including specifically, but without limitation to, any minister's discretionary fund or similar account) that has made any contribution to the campaign and shall state the amount of each such contribution. Such reports shall be filed with the Secretary of the Association. A preliminary report shall be due at the close of the first day of the regular General Assembly at which the election occurs. A final report shall be due 60 days thereafter. The Secretary shall upon written request from a member of a member congregation furnish such information from these reports as requested. These reports shall be made available for inspection by any member of a member congregation at the principal offices of the Association and shall be brought by the Secretary to the next General Assembly and made available for inspection there by any delegate.

**Rule G-9.12.9. Separation of Campaigns from Conduct of Official Business.**

- a When running for office, candidates shall be prohibited from engaging in

any electioneering or campaigning during the conduct of official business of the Unitarian Universalist Association.

- b Financial accounting and bookkeeping procedures shall be established which make it explicit that no monies of the Association were used in the financing of a candidate's campaigning or electioneering activities.

**Rule G-9.12.10 Election Campaign Practices Committee.**

- a An Election Campaign Practices Committee is hereby established and shall consist of three persons to be appointed by the Board of Trustees at its October meeting following those regular General Assemblies at which elections occur. Two members of the Committee shall be members of the Board of Trustees at the time of their appointment and one shall be a non-Board member. The non-Board member shall be the chair of the Committee. Persons appointed to the Election Campaign Practices Committee shall remain neutral in the election and not engage in electioneering. A person nominated pursuant to Bylaw Sections 9.4 or 9.5 is ineligible to serve on the Committee.
- b The duties of the Election Campaign Practices Committee shall be:
  - 1 to distribute the campaign practices guidelines and financial disclosure rules to candidates for at-large elective positions not later than thirty days after nomination by the nominating committee or receipt of petition;
  - 2 to receive and consider written complaints of alleged violations of such guidelines or rules; if the committee finds probable cause to establish that a violation exists, to notify a candidate or a number of candidates how they may voluntarily comply with guidelines or rules and how long they have to do so; to attempt to mediate disputes arising from such complaints; and, if no satisfactory resolution of a complaint is achieved, to adjudicate the dispute and report the adjudication in writing to the candidates affected;
  - 3 to hold such hearings as may, at the Committee's discretion, be necessary or desirable to carry out the intent of subsection 2 above; and
  - 4 to report on its activities and any recommendations it may have to the Board of Trustees at its October meeting following the elections.
- c If compliance to an adjudicated decision is not implemented by the stated deadline, the Committee is authorized to block or remove Association-subsidized privileges from the candidate's campaign. Candidates adjudicated to be in serious violation of Rule G-9.12.69(c) may have their names removed from the ballot. Any such action pursuant to rule G-9.12.10(c) shall be reported to the Board and the General Assembly. Such adjudication by the ECPC would be subject to automatic review by the Board Executive Committee according to the provisions of Rule G-9.12.10(d).
- d Any candidate aggrieved by the Committee's adjudication may, within ten days of the mailing of the adjudication, appeal in writing to the Executive Committee of the Board of Trustees, which shall have exclusive jurisdiction to hear and determine such an appeal. The Executive Committee shall report its

decision on the appeal in writing to the affected candidates as expeditiously as feasible. The Executive Committee of the Board of Trustees is authorized to issue any order or ruling it deems appropriate in connection with such a decision

- e Any member of the Executive Committee of the Board of Trustees who is a candidate for UUA elective office shall not participate in any manner in the determination of any appeal from an adjudication of the Election Campaign Practices Committee.