



BYLAWS

FEBRUARY 2009

PORAC BYLAWS

TABLE OF CONTENTS

ARTICLE I	NAME AND OBJECTIVES	
Sec. 1.	Name	1
Sec. 2.	Objectives	1
Sec. 3.	Principles	1
Sec. 4.	Headquarters	1
ARTICLE II	MEMBERSHIP	
Sec. 1.	Preamble	2
Sec. 2.	Classes of Membership	2
Sec. 3.	Active Members.	2
Sec. 4.	Retired Members.	3
Sec. 5.	Joe Aceto Honorary Life Members	3
Sec. 6.	Reserve Members	3
Sec. 7.	Associate Membership	3
Sec. 8.	Limited Membership	4
Sec. 9.	Eligibility Approval/Denial	4
Sec. 10.	Limited Members-Rights	4
Sec. 11.	Limited, Continued Status	5
Sec. 12.	Limited, Federal Officer Organizations	5
ARTICLE III	DUES	
Sec. 1.	Active Members.	6
Sec. 2.	Reserve Members	6
Sec. 3.	Retired Members	6
Sec. 4.	Associate Members	6
Sec. 5.	Honorary Members	6
Sec. 6.	Limited Members	7
ARTICLE IV	REGIONS/CHAPTERS	
Sec. 1.	Geographical Divisions	8
Sec. 2.	Chapter Composition	8
Sec. 3.	Boundaries	8
	Map	9
ARTICLE V	POWERS	
Sec. 1.	Conference of Members.	10
Sec. 2.	Board of Directors	10
Sec. 3.	Executive Committee	10
Sec. 4.	Limitations of Power	10
Sec. 5.	Chapters	10
Sec. 6.	Examination of Records	11
ARTICLE VI	OFFICERS/BOARD OF DIRECTORS	
	EXECUTIVE COMMITTEE	
Sec. 1.	Officers, Defined	12
Sec. 2.	Board of Directors	12
Sec. 3.	Executive Committee, Defined	12

BYLAWS (Cont'd.)

ARTICLE VII	MEETINGS	
Sec. 1.	Conference of Members.	13
Sec. 2.	Board of Directors	13
Sec. 3.	Executive Committee	13
ARTICLE VIII	DUTIES	
Sec. 1.	President	14
Sec. 2.	Vice President	14
Sec. 3.	Secretary	14
Sec. 4.	Treasurer	15
Sec. 5.	Board of Directors	15
Sec. 6.	Chapter Directors	15
Sec. 7.	Chapter President	15
ARTICLE IX	ELECTIONS/APPOINTMENTS	
Sec. 1.	Eligibility	16
Sec. 2.	President, Vice President	16
Sec. 3.	Treasurer	16
Sec. 4.	Secretary	16
Sec. 5.	Parliamentarian, Sgt. at Arms	17
Sec. 6.	Directors	17
Sec. 7.	Committees	17
Sec. 8.	Election Years	19
Sec. 9.	Election Years, Executive Committee	19
Sec. 10.	Beginning of Terms	19
Sec. 11.	Vacancies	20
Sec. 12.	Automatic Vacancy	21
Sec. 13.	Vice President, Vacancy . . . . .	.
21		
ARTICLE X	VOTING	
Sec. 1.	Qualifications	22
Sec. 2.	Conference of Members.	22
Sec. 3.	Board of Directors	22
Sec. 4.	Executive Committee	23
Sec. 5.	Chapters and Regions	23
Sec. 6.	Designations	24
Sec. 7.	Conflict of Interest	24
Sec. 8.	Manner of Voting	24
ARTICLE XI	STANDING COMMITTEES	
Sec. 1.	Legal Defense Fund	25
Sec. 2.	Insurance and Benefits Committee	25
Sec. 3.	Committee on Peace Officer Relations	26
Sec. 4.	Labor/Training Committee	27
Sec. 5.	Fiscal Management	27
Sec. 6.	Budget	28
Sec. 7.	Committee on Government Affairs	28
Sec. 8.	Political Action (PAC)	29

BYLAWS (Cont'd.)

ARTICLE XI		STANDING COMMITTEES	
	Sec. 9.	Bylaws	29
	Sec. 10.	Credentials	29
	Sec. 11.	Planning and Research	29
	Sec. 12.	Compensation	29
	Sec. 13.	Recruitment and Retention	30
	Sec. 14.	POREF Policy Review Committee	30
	Sec. 15.	Appeals	30
	Sec. 16.	PUBCO, Editorial Committee	30
	Sec. 17.	SPAC	31
	Sec. 18.	RMT, Retiree Medical Trust	31
	Sec. 19.	RAM, Retired Associate Member	32
ARTICLE XII		DISCIPLINE OF OFFICERS	
	Sec. 1.	Disciplinary Procedures	32
	Sec. 2.	Recall	34
ARTICLE XIII		DISCIPLINE OF ASSOCIATIONS AND MEMBERS	
	Sec. 1.	Disciplinary Procedures	37
	Sec. 2.	Nonpayment of Dues	38
	Sec. 3.	Discipline of Individuals	38
ARTICLE XIV		ADMINISTRATION	
	Sec. 1.	General Manager	39
	Sec. 2.	Responsibilities . . . . .	.
39			
	Sec. 3.	President	39
	Sec. 4.	Labor Representation Program	39
	Sec. 5.	Reserve Funds	39
ARTICLE XV		RULES OF ORDER	
	Sec. 1.	Rules of Order	41
	Sec. 2.	Distribution	41
	Sec. 3.	Robert's Rules of Order	41
ARTICLE XVI		BYLAW AMENDMENTS	
	Sec. 1.	Bylaws Committee	42
	Sec. 2.	Two-thirds Vote	42
	Sec. 3.	Emergency Amendments	42
	Sec. 4.	Automatic Consistency	42
	Sec. 5.	Conformity of Changes	42

**STANDING RULES
TO PORAC BYLAWS**

S.R. ARTICLE I	NAME AND OBJECTIVES	. . . . .	43
S.R. ARTICLE II	MEMBERSHIP-POLICY		
Sec. 1.	Preamble	. . . . .	44
Sec. 2.	Membership Approval	. . . . .	44
Sec. 3.	Membership Benefits	. . . . .	44
Sec. 4.	Application Consideration	. . . . .	44
Sec. 5.	Honorary Members	. . . . .	45
Sec. 6.	Membership Lists.	. . . . .	45
S.R. ARTICLE III	DUES/CONTRIBUTIONS		
Sec. 1.	Active Association	. . . . .	46
Sec. 2.	RPOAC	. . . . .	46
Sec. 3.	Associate	. . . . .	46
Sec. 4.	Records	. . . . .	46
Sec. 5.	Chapter Reimbursement	. . . . .	46
Sec. 6.	Political Action Committee Fund	. . . . .	47
Sec. 7.	Membership Changes	. . . . .	48
Sec. 8.	Access Fee	. . . . .	48
S.R. ARTICLE IV	REGIONS/CHAPTERS		
Sec. 1.	Statewide	. . . . .	49
Sec. 2.	Chapter Composition	. . . . .	50
S.R. ARTICLE V	POWERS		
Sec. 1.	Endorsements	. . . . .	51
Sec. 2.	Out of State Oversight/LDF/I and B.	. . . . .	52
Sec. 3.	Full or Part-time Release	. . . . .	53
S.R. ARTICLE VI	OFFICERS/BOARD OF DIRECTORS EXECUTIVE COMMITTEE		
Sec. 1.	Executive Committee/Seniority	. . . . .	54
Sec. 2.	Executive Committee/Position	. . . . .	54
Sec. 3.	Special Representatives	. . . . .	54
S.R. ARTICLE VII	MEETINGS		
Sec. 1.	Executive Session	. . . . .	55
Sec. 2.	Executive Committee/Quorum	. . . . .	55
Sec. 3.	Executive Committee	. . . . .	55

STANDING RULES (Cont'd.)

S.R. ARTICLE VIII	DUTIES-POLICIES	
Sec. 1.	Recording Secretary	56
Sec. 2.	Treasurer	56
Sec. 3.	Fiscal Policies	58
Sec. 4.	Policy, Editorial Review Board	66
Sec. 5.	PORAC Member of the Year	66
Sec. 6.	Appeals Board	66
Sec. 7.	Chapters	66
Sec. 8.	Conference Co-Chairs	68
	Appendix-Expenditure Guidelines	69
S.R. ARTICLE IX	ELECTIONS/APPOINTMENTS	
Sec. 1.	Immediate Past President	70
Sec. 2.	Conflicts of Interest	70
Sec. 3.	Region Election Results	70
Sec. 4.	Chapter Election Results	70
S.R. ARTICLE X	VOTING	
Sec. 1.	Voting Strength	71
Sec. 2.	Credentials Committee	71
Sec. 3.	Designations	72
Sec. 4.	Designations/Directors/Officers	72
Sec. 5.	Proxies	72
Sec. 6.	Forms, Approval of	74
Sec. 7.	Nevada Director	76
Sec. 8.	Nevada Associations	76
Sec. 9.	Conference of Members Roll Call	76
Sec. 10.	Formal Tally of Ballots	77
Sec. 11.	Election Protests	78
S.R. ARTICLE XI	STANDING COMMITTEES	
Sec. 1.	Eligibility	79
Sec. 2.	Candidates for Appointment	79
Sec. 3.	Insurance and Benefits, Receipts/Disbursement	79
Sec. 4.	Credentials Committee	79
Sec. 5.	Quarterly Reports	79
Sec. 6.	Fiscal Management Committee	79
S.R. ARTICLE XII	DISCIPLINE OF OFFICERS	
Sec. 1	Rules and Procedures	81
Sec. 2.	Final Decision	82
S.R. ARTICLE XIII	DISCIPLINE OF ASSOCIATIONS AND MEMBERS	
Sec. 1.	Failure to Pay Dues	82
Sec. 2.	Reinstatement	82

STANDING RULES (Cont'd.)

S.R. ARTICLE XIV Sec. 1.	ADMINISTRATION Reserve Fund	83
S.R. ARTICLE XV	RULES OF ORDER There is no language under this Standing Rule.	84
S.R. ARTICLE XVI	BYLAW AMENDMENTS There is no language under this Standing Rule.	85
	NOTES	86

1 **ARTICLE I**

2 **NAME AND OBJECTIVES**

3 Section 1. **NAME:** This Association shall be known as the Peace Officers Research Association of
4 California (PORAC).

5
6 Section 2. **OBJECTIVES:** The objectives of this Association are to unite all persons within its
7 jurisdiction for their economic, professional, and social advancement. It shall be the aim
8 of the Association to assist all public safety officers in seeking adequate compensation
9 for the performance of their professional duties and to improve conditions of employment,
10 accomplished through collective legal activities, collective efforts in all areas of labor
11 presentation, collective attempts to insure themselves and their families against health,
12 disability, accident, and any other problems that may occur; to collect, study, standardize,
13 summarize, and distribute factual data in order to promote the professional qualifications
14 and standing of public safety officers.

15
16 Section 3. **PRINCIPLES:** The Association is founded on the principle that public safety officers
17 united in mutual interest and acting in a spirit of cooperation, may, through the free
18 exercise of their constitutional freedoms of association and self-organization, best
19 promote their own welfare.

20
21 Section 4. **HEADQUARTERS:** The Headquarters and general offices of this Association shall be
22 located in Sacramento, California, and shall remain situated in that city until removed by
23 referendum vote of the membership.

1 **ARTICLE II**

2 **MEMBERSHIP**

3 Section 1. The membership of Peace Officers Research Association of California (PORAC) is
4 comprised of member associations and individuals as provided in these Bylaws.

5
6 Section 2. There shall be six (6) classes of membership in PORAC; active, retired, honorary,
7 associate, reserve, and limited.

8
9 Section 3. **ACTIVE MEMBERSHIP** shall consist of:

10 A. Employee organizations, a majority of whose membership consists of Peace Officers
11 as defined in Section 830 and Public Officers as defined in Section 831 of the Penal
12 Code;

13 Rev. 11/04

14 B. Applications from management, Public Officers, and reserve associations will not be
15 considered for active membership unless submitted with a letter from the
16 corresponding PORAC rank-and-file association stating they are not opposed to or
17 support the application. No recommendation is needed for the application if the rank-
18 and-file organization is not a PORAC active member. (S.R.)

19 Rev. 11/04

20 C. All current employee organizations which were active members of PORAC admitted
21 under the PORAC Bylaws prior to November 21, 2004;

22 D. Full-time Federal Law Enforcement officers as defined in definitions under
23 Title 5 USC 45541(3), 8331(20) and 8401(17); prior to November 25, 2002.

24 Rev. 11/02 Rev. 11/04

25

1 **ARTICLE II (Cont'd.)**

2 **MEMBERSHIP**

3 E. Nevada employee organizations, a majority of whose membership consists of peace
4 officers as defined in Nevada Revised Statute 289.010, provided that association is
5 affiliated with PORAC as of January 1, 2001, shall have restricted voting rights as
6 provided in Article X, Section 1, A.

7 Rev. 11/00 Rev. 11/04

8 F. Retired peace officers who retain active membership and pay such dues through
9 local association.

10 G. Active membership includes at-large associations.

11 Rev. 11/04

12 Section 4. **RETIRED MEMBERSHIP**

13 A. Retired peace officers who are members of the Retired Peace Officers Association
14 of California (RPOAC).

15 B. Any retiree from past or current affiliates of PORAC, or any retired public safety
16 officer from California or Nevada (as defined in the Standing Rules), who are Retired
17 Associate Members.

18 Rev.11/08

19 Section 5. **JOE ACETO HONORARY LIFE MEMBERSHIP**

20 A. The Joe Aceto Honorary Life Membership may be conferred upon any person
21 rendering extraordinary service to the goals and objectives of PORAC. (S.R.)

22 Rev. 11/99

23 Section 6. **RESERVE MEMBERSHIP**

24 A. Reserve membership shall consist of associations made up of reserve peace officers.
25 (S.R.)

1 **ARTICLE II (Cont'd.)**

2 **MEMBERSHIP**

3
4 Section 7. **ASSOCIATE MEMBERSHIP**

5 A. Associate membership shall be those individuals approved as provided by these
6 Bylaws. (S.R.)

7 Section 8. **LIMITED MEMBERSHIP** shall only be available to the following organizations:

- 8 A. Public safety organizations not eligible for other membership.
9 B. Law enforcement/peace officer organizations from outside of California or Nevada.
10 C. The Executive Committee or Board of Directors may give approval to grant limited
11 membership to any association otherwise eligible for full PORAC membership for a
12 period up to but not to exceed twelve (12) months.

13 Rev. 11/02

14 D. Applications from management, Public Officers, and reserve associations, not
15 accepted for active membership shall be allowed to apply for limited membership.

16 Rev. 11/04 Rev. 11/05

17 Section 9. Membership shall be approved or denied by the Board of Directors or the Executive
18 Committee. (S.R.)

19 Rev. 11/99

20 Section 10. Limited members have no rights in PORAC except to participate in the Legal Defense
21 Fund (LDF) and Insurance and Benefits (I & B) programs and must qualify for each
22 program in which they participate.

23 Rev. 11/02

1 **ARTICLE II (Cont'd.)**

2 **MEMBERSHIP**

3
4
5 Section 11. Any organization holding limited membership status as of November 24, 2002, can
6 maintain their limited status as long as there is no interruption in the payment of their
7 dues. This does not preclude any limited member from upgrading to full membership if
8 eligible per Article II. (S.R.)

9 Rev. 11/02

10 Section 12. Federal officer organizations not included in Article XI, Section 1.B. may participate in
11 Legal Defense Fund (LDF) programs by paying an access fee and after a review of the
12 organization by the Executive Committee or Board of Directors.

13 Rev. 11/02

1 **ARTICLE III**

2 **DUES**

3 Section 1. Active members shall pay dues at the rate of seven dollars (\$7.00) per capita per month
4 beginning April 1, 2008. Active members in the Nevada Chapter shall pay dues at the
5 rate of six dollars (\$6.00) per capita per month. Non-active dues paying members, as
6 listed below, shall pay dues in the manner prescribed in the Bylaws and Standing Rules.

7 Rev. 11/00 Rev. 11/05 Rev. 11/07

8 Section 2. Reserve peace officer associations shall pay dues at the rate of forty dollars (\$40.00) per
9 capita annually, plus the cost of the Legal Defense Fund (LDF) Reserve Program payable
10 to LDF and any other program in which they participate.

11 Rev. 11/04

12 Section 3. The Retired Associate Members of California (RAM) and the Retired Peace Officers
13 Association of California (RPOAC) shall pay dues at the rate of twenty four dollars
14 (\$24.00) per capita annually in the manner prescribed in the Standing Rules. (S.R.)

15 Rev. 11/08

16 Section 4. Standard Associate members shall pay dues at the rate of fifty dollars (\$50.00) per capita
17 annually.

18 Rev. 11/08

19 Section 5. Honorary life members shall pay no dues. (S.R.)

20 Rev. 11/04

21 Section 6. Limited membership organizations shall pay dues of \$2.00 dollars per capita per month 1
22 effective January 1, 2009.

23 A. Limited member associations who opt to withdraw from PORAC, and subsequently
24 seek to regain limited membership status, shall, over the same number of months
25

1 they were without PORAC limited membership, pay, in addition to their new dues, the
2 amount of dues that would have otherwise been paid if they had maintained
3 continuous limited membership. However, the above dues payback shall be waived
4 if the former limited members attain active member status.

5 Rev. 11/08

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1 **ARTICLE IV**

2 **REGIONS/CHAPTERS**

3 Section 1. The membership of PORAC is geographically divided into four (4) Regions, each of
4 which is further divided into Chapters. (S.R.)

5
6 Section 2. Each Chapter may be comprised of non-at-large associations, at-large associations,
7 associate members, retired members, statewide association members and Federal
8 Coalition members.

9 A. Non-at-large associations are active member organizations with fewer than five
10 hundred (500) individual members.

11 B. At-large associations are active member organizations with five hundred (500) or
12 more individual members.

13 C. Statewide associations are active member organizations whose membership
14 transcends the boundaries of the various Regions and Chapters. Statewide
15 associations' members may participate and exercise all rights of individuals in the
16 Chapter and Region in which they or their employer is geographically located. (S.R.)

17 D. Federal Coalition is comprised of active member organizations whose membership
18 transcends state boundaries.

19 Rev. 11/06

20 Section 3. The boundaries of the various Regions and Chapters shall be established. A map
21 indicating the names, numerals, and boundaries of the Regions and Chapters approved
22 by the Board of Directors shall be attached to these Bylaws.
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REGIONS MAP

(THE APPROPRIATE MAP WILL BE PLACED HERE)

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1 **ARTICLE V**

2 **POWERS**

3 Section 1. The Conference of Members shall, when in session, possess the power to amend these
4 Bylaws, elect officers, and other powers as provided herein.

5
6 Section 2. Subject to the authority of the Conference of Members, the activities and affairs of
7 PORAC shall be governed and all corporate powers exercised by or under the direction
8 of the Board of Directors.

9
10 Section 3. Subject to the authority of the Board of Directors, when the Board of Directors is not in
11 session, the Executive Committee shall have all the powers and authority of the Board
12 of Directors subject to the direction of the Board of Directors except when prescribed by
13 law, Standing Rules, and/or these Bylaws.

14
15 Section 4. The Executive Committee shall have no power to adopt, amend, or suspend the
16 Standing Rules.

17
18 Section 5. Each Chapter may elect to be a separate legal entity for the purposes of conducting local
19 Chapter business. If a Chapter so chooses, it shall be responsible for securing IRS
20 approval of its tax exempt status and filing appropriate federal and state tax returns.

21 Rev. 11/93 Rev. 11/06

22 A. Chapters shall establish Bylaws and elect officers to administer their
23 affairs. The Bylaws and actions of the Chapters shall not be in conflict with the
24 Bylaws or principles of PORAC.

25 Rev.11/08

1 **ARTICLE V (Cont'd.)**

2 **POWERS**

3
4 B. No one at the Chapter level shall have the authority to represent himself/herself as an
5 agent of PORAC without specific approval of the PORAC Board of Directors as
6 provided in the Bylaws or Standing Rules.

7
8 C. Chapters, which elect to be separate legal entities, have the option of operating either
9 as unincorporated non-profit associations or as non-profit corporations.

10
11 D. Chapters may request assistance from Headquarters in matters related to IRS
12 regulations, obtaining tax exempt status, and filing federal and state tax returns.

13 Rev. 11/05

14 E. Chapters that do not choose to be separate legal entities, the Board of Directors shall
15 adopt Standing Rules and policies, which are consistent with its fiduciary duty to
16 oversee the financial affairs of the corporation and to comply with federal and state
17 laws.

18 Rev. 11/05

19 Section 6. Except as restricted in these Bylaws all active members/associations shall have the
20 right to examine the records, accounting books, reports, minutes and correspondence
21 of the officers, Board of Directors, and committees of PORAC, upon reasonable written
22 and timely request.

23 Rev. 11/93

1 **ARTICLE VI**

2 **OFFICERS/BOARD OF DIRECTORS/EXECUTIVE COMMITTEE**

3 Section 1. The officers of PORAC shall be the President, Vice President, Treasurer, and Secretary.

4
5 Section 2. The Board of Directors shall be comprised of the President, Vice President, Treasurer,
6 one (1) elected Director from each Chapter, one (1) Director from each at-large
7 association, and for a one (1) year term, the immediate Past President. The immediate
8 Past President may complete their term even if no longer an active member.

9
10 Section 3. The Executive Committee shall be comprised of the President, Vice President,
11 Treasurer, and eight (8) Directors. (S.R.)

12 A. The Directors of the Executive Committee shall be composed of two (2) Directors
13 from each Region, provided that no more than one (1) Director shall be elected from
14 each Chapter.

15 B. Executive Committee Directors shall be elected by the active member associations
16 from each affected Region in accordance with the procedures set forth in Article IX,
17 et seq. of these Bylaws.

18 C. The Board of Directors shall retain the power to remove Executive Committee
19 members as provided in Article XII of these Bylaws.

1 **ARTICLE VII**

2 **MEETINGS**

3 Section 1. The Conference of Members shall be convened annually, during the last quarter of the
4 year, as determined by the Board of Directors. (S.R.)

5 A. Written notice of the time and place of the Conference shall be given not less than
6 thirty (30) days prior to the Conference of Members.

7 B. A quorum shall consist of the members present.

8
9 Section 2. The Board of Directors shall meet at least twice annually, in addition to the meetings at
10 the Conference of Members, unless more frequently convened by a majority of its
11 members or the President.

12 A. At least ten (10) days notice by giving the time, place, and tentative agenda of the
13 meeting.

14 B. A quorum shall be constituted when a majority of the Board of Directors is present,
15 and they represent at least a majority of the total votes of the entire Board of
16 Directors.

17 C. A meeting may continue notwithstanding the loss of a quorum except that no vote
18 may occur in the absence of a quorum.

19
20 Section 3. The Executive Committee shall meet when convened by a majority of its members or the
21 President. (S.R.)

22 A. The manner of notice of meeting, establishment of quorum, and action taken during a
23 loss of quorum, shall be the same as provided for the Board of Directors.

1 **ARTICLE VIII**

2 **DUTIES**

3 Section 1. The President shall preside at all meetings of the Board of Directors, Executive
4 Committee, and the Conference of Members. He/She shall perform such duties given
5 him/her by these Bylaws, Board of Directors and/or the Executive Committee. He/She
6 may call meetings of the Board of Directors and the Executive Committee, and shall be
7 an ex-officio member of all committees except the Credentials Committee. He/She shall
8 be the spokesperson and official representative of PORAC. He/She shall appoint or
9 replace committee chairpersons and members as provided by these Bylaws subject to
10 the approval of the Board of Directors.

11
12 Section 2. The Vice President shall succeed the President should the Presidency become vacant.
13 He/She shall, at the determination of the Executive Committee or the Board of Directors,
14 assume the duties of the President in the absence of the President. He/She shall
15 conduct elections and perform such other duties as may be delegated by these Bylaws,
16 the President, Board of Directors, and/or Executive Committee.

17
18 Section 3. The Secretary shall be responsible for the preparation and certification of the minutes of
19 meetings of the Executive Committee, Board of Directors, and the Conference of
20 Members. He/She shall make a regular report to the members on meetings of the
21 Executive Committee and the Board of Directors. He/She shall maintain custody of the
22 Articles of Incorporation, Bylaws, and Standing Rules. He/She shall perform such other
23 duties as may be delegated by the Board of Directors, Executive Committee, and these
24 Bylaws.

25

1 **ARTICLE VIII (Cont'd.)**

2 **DUTIES**

3 Section 4. The Treasurer shall be the chief financial officer responsible for ensuring compliance
4 with the fiscal policies of these Bylaws, the Board of Directors, and Executive
5 Committee. (S.R.)
6

7 Section 5. A member of the Board of Directors shall perform the duties of a Director, including
8 duties as a member of any committee upon which he/she may serve, in good faith, in a
9 manner he/she believes to be in the best interests of PORAC, and with such care,
10 including reasonable inquiry, as an ordinarily prudent person in a like position would use
11 under similar circumstances.
12

13 Section 6. Chapter Directors shall insure Chapter compliance with PORAC Bylaws, Standing Rules,
14 policies, procedures and shall be a local representative of PORAC for all local matters
15 except contractual obligations.

16 Rev. 11/07

17 Section 7. Chapter Presidents preside at Chapter meetings and perform such duties as prescribed
18 by these Bylaws and shall also be a local representative of PORAC for all local matters
19 except contractual obligations.

20 Rev. 11/07
21
22
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25

1 **ARTICLE IX**

2 **ELECTIONS/APPOINTMENTS**

3 Section 1. Only individuals who are active members of PORAC are eligible to hold office. Active
4 members are not precluded from also being employees of PORAC.

5
6 Section 2. The President and Vice President shall be nominated and elected for one (1) year terms
7 by a majority of the votes cast at the Conference of Members.

8 A. Nominations shall be made from the floor and accompanied by the candidate's
9 acceptance of nomination.

10 B. The manner of election shall be the same as the manner of voting as prescribed in
11 Article X.

12
13 Section 3. The Treasurer shall be nominated and elected for a two (2) year term by a majority of the
14 votes cast at the Conference of Members.

15 A. Nominations shall be made from the floor and accompanied by the candidate's
16 acceptance of nomination.

17 B. The manner of election shall be the same as the manner of voting as prescribed in
18 Article X.

19 C. The Treasurer shall be a voting member of the Board of Directors and the Executive
20 Committee.

21
22 Section 4. The President shall appoint a Secretary from one (1) of the Region Directors currently
23 on the Executive Committee, subject to approval of the Board of Directors.

1 **ARTICLE IX (Cont'd.)**

2 **ELECTIONS/APPOINTMENTS**

3 Section 5. The President may appoint a Parliamentarian, Sergeant-at-Arms, and Chaplain subject to
4 the approval of the Board of Directors.

5
6 Section 6. Directors shall be elected or designated as follows:

7 A. Chapter Directors shall be elected from the Chapter for two (2) year terms, in the
8 manner prescribed by these Bylaws and Standing Rules, by active member non-at-
9 large associations and the proportionate vote of non-at-large statewide associations.

10 B. At-large Directors shall be designated by at-large associations.

11
12 Section 7. Regional members of the Executive Committee, the LDF Trust, RMT Trust and Insurance
13 and Benefits Trust/Committee shall be elected for terms of two (2) years by a majority of
14 the votes cast by eligible active members.

15 A. The Vice President shall, not less than ninety (90) days prior to the Conference of
16 Members, send to eligible member organizations notice of a nominations meeting,
17 which shall be held not less than sixty (60) days prior to the Conference. The notice
18 of a nominations meeting shall contain the time and place of the meeting and a
19 statement advising that nominations, accompanied by nominee's acceptance of
20 nomination, may be made from the floor at the meeting or by a letter of nomination
21 endorsed by two (2) eligible members other than the candidates.

1 **ARTICLE IX (Cont'd.)**

2 **ELECTIONS/APPOINTMENTS**

3 B. The Vice President shall, not less than twenty (20) days prior to the election, send to
4 eligible members notice of an election, which shall be held not less than thirty (30)
5 days prior to the Conference of Members.

6 (1) The notice of election shall contain:

7 (a) the time and place of the election;

8 (b) a ballot including the candidates' names and the number of votes allowed,
9 as certified by the Vice President, based on dues paid up to and including the
10 last complete quarter prior to the election; and

11 (c) the closing time of the polls shall be at 5:00 p.m., three (3) calendar days
12 prior to the October Executive Committee Meeting; and

13 (d) a statement advising that ballots may be cast in person at the election
14 which shall be at the October Executive Committee Meeting.

15 Rev. 11/06

16 (2) The Vice President shall appoint an impartial three (3) member Elections
17 Committee to receive and tally all ballots cast, and to immediately announce the
18 results of the election.

19 C. The Vice President shall, within five (5) days following a tie or plurality vote, send
20 notice of another election, which shall be held within fifteen (15) days of the tie or
21 plurality vote. The manner of notice and voting shall be the same as the above
22 except that only the two (2) candidates receiving the largest number of votes in the
23 first election shall be included in the ballot.

24 Rev. 11/06

1 **ARTICLE IX (Cont'd.)**

2 **ELECTIONS/APPOINTMENTS**

3 Section 8. Elections of Chapter Directors and members of the LDF Trust, and members of the
4 Retiree Medical Trust shall be held in alternate years with odd-numbered Chapters and
5 Regions electing in odd years, and even-numbered Chapters and Regions electing in
6 even years. (S.R.)

7 Rev. 11/07 Rev. 11/09

8 Section 9. One (1) Executive Committee member and one (1) Insurance and Benefits Trust/
9 Committee member shall be elected in each Region, each year, for a two (2) year term.

10 A. There will be a total of eleven (11) Committee members, two (2) elected from each
11 Region, provided that no more than one (1) Trustee/Committee member shall be
12 elected from each Chapter.

13 B. The President of PORAC shall also appoint himself/herself, or the Vice President,
14 as a member of the Trust for a one (1) year term.

15 Rev. 11/07

16 Section 10. Officers, Chapter Directors, Executive Committee members, Standing Committee and
17 Trust members, shall take office at the close of the Conference of Members.

18 **ARTICLE IX (Cont'd.)**

19 **ELECTIONS/APPOINTMENTS**

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24 Section 11. Vacancies in any office excluding Chapter Director and State President shall be filled
25 within sixty (60) days following receipt of resignation, removal from office, or date office
is otherwise vacated, whichever occurs first.

1 A. For all Presidential appointments, the President shall, at a duly announced Executive
2 Committee or Board of Directors meeting, obtain ratification of the appointment.

3 B. For all Statewide and Regional elected offices, the Vice President is responsible for
4 having a successor determined and shall, within fifteen (15) days following receipt of
5 resignation, removal from office, or the office is otherwise vacated, whichever occurs
6 first, send Nomination forms, and Notice of a Special Election to all associations
7 eligible to nominate and vote in filling the office, and were so eligible the last time the
8 office was filled.

9 (1) Notice of the Nomination shall contain all requirements as established by Standing
10 Rules (S.R. Article X, Section 6).

11 (2) Upon determining those nominated for the vacant office, a Ballot containing all
12 requirements as established by the Standing Rules (S.R. Article X, Section 6),
13 shall be sent to all current eligible voters, who were eligible to vote when the
14 office was last filled.

15 (3) The Vice President shall appoint an Elections Committee in accordance with
16 Article IX, Section 7, B. (2), and such Committee shall have the duties so
17 indicated.

18 (4) In the event of a tie or plurality vote, the Vice President shall, within five (5) days
19 of such vote, notify all eligible voters of election in accordance with this Article.

20 The manner of notice and voting shall be the same as the above except that only
21 The two (2) candidates receiving the largest number of votes in the first election
22 shall be included in the ballot.

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2 **ARTICLE IX (Cont'd.)**

3 **ELECTIONS/APPOINTMENTS**

4 C. During the vacancy of a Chapter Director's office, the Chapter President shall
5 temporarily act as and have the authority of the Chapter Director, and shall
6 automatically relinquish same upon a successor assuming office.

7 D. The Executive Committee shall, in the same manner as above, elect an interim
8 President in the event this office is vacated and the Vice President is unable to
9 accede to the higher office.

10
11 Section 12. Any incumbent in an elected or appointed position who fails to maintain the requirement
12 for election to the position shall automatically vacate the office, except they may continue
13 in the position until a successor has been provided in accordance with these Bylaws.
14 Incumbents in any position who are no longer PORAC members shall immediately vacate
15 any office or position held.

16
17 Section 13. In the event the Vice President's office is to be filled, the President shall appoint a
18 member of the Executive Committee to assume the election responsibilities of the Vice
19 President.

20 Rev. 11/95

1 **ARTICLE X**

2 **VOTING**

3 Section 1. Only active members may vote, unless otherwise provided in these Bylaws. (S.R.)

4 A. Nevada associations and Federal Coalition associations may only vote on the
5 following:

6 (1) Dues issues.

7 (2) Programs which their members participate in directly.

8 Rev. 11/04

9 Section 2. At the Conference of Members, active member organizations shall be entitled to cast one
10 (1) vote for each of their eligible members. (S.R.)

11 A. Each active member organization is entitled to designate a representative to cast its
12 votes.

13 B. Active members may vote by proxy or designation as provided by these Bylaws.
14 (S.R.)

15 C. Retired Associate Members (RAM) shall be entitled to cast one (1) vote for their
16 committee and (1) vote for each additional one hundred (100) members.

17 D. The Retired Peace Officers Association of California shall be entitled to cast one (1)
18 vote for their association and (1) vote for each additional one hundred (100) members.

19 E. The Credentials Committee shall determine the number of votes entitled to each
20 active member organization based on the average annual monthly dues paid up to
21 and including the last complete quarter prior to the Conference of Members.

22 Rev. 11/09

23 Section 3. At Board of Directors' meetings, Directors shall be entitled to cast one (1) vote per each
24 five hundred (500) individual Chapter members, excluding those members represented
25 by any PORAC At-Large Association. PORAC Vice President
and the PORAC Treasurer shall cast only one (1) vote.

1 **ARTICLE X (Cont'd.)**

2 **VOTING**

3 A. The President may only cast one (1) vote to make or break a tie while serving as the
4 presiding officer.

5 B. An At-Large Association may cast no more than five (5) votes regardless of
6 membership size.

7 C. The immediate Past President shall not vote.

8 Rev. 11/95

9 D. All votes cast by each voting member shall be recorded.

10 Rev. 11/02

11 **Section 4.** At Executive Committee meetings, each Committee member shall be entitled to cast
12 one (1) vote except that the presiding officer shall only vote to make or break a tie. All
13 votes cast by each voting member shall be recorded.

14 Rev. 11/02

15 **Section 5.** Voting for Chapter and Region business, unless otherwise provided in these Bylaws,
16 shall be as follows:

17 A. Non-statewide associations shall have one (1) original vote as a member and one (1)
18 additional vote for each of its one hundred (100) individual members for whom
19 PORAC dues are paid.

20 B. Statewide associations shall have one (1) original vote and one (1) additional vote
21 for each of its one hundred (100) proportionate members in their Chapter or Region.
22 The proportionate vote shall be determined each year at the Conference of Members,
23 based on information provided by the association and PORAC Headquarters.

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25

1 **ARTICLE X (Cont'd)**

2 **VOTING**

3 Section 6. Officers, Directors and active member organizations may, in lieu of attending meetings
4 of the Board of Directors, Executive Committee or the Conference of Members,
5 designate a representative or issue a proxy to vote on their behalf. The form of a proxy
6 or designation shall be established by Standing Rules. (S.R.)

7
8 Section 7. No officer, member of a Committee or Trust, shall vote on any questions in which they
9 have a direct personal or pecuniary interest not common to other members of the
10 organization.

11
12 Section 8. The manner of voting for Chapter/Region issues may be superseded by Chapter/Region
13 Bylaws.

14 Rev. 11/92

1 **ARTICLE XI**

2 **STANDING COMMITTEES**

3 Section 1. The Legal Defense Fund (LDF) Trust shall govern and direct the administration of the
4 Legal Defense Fund.

5 A. The Trust shall consist of five (5) Trustees who are beneficiaries of the LDF, who shall
6 choose a chairperson.

7 (1) The President shall appoint a Director to serve as a Trustee of the LDF Trust for
8 a one (1) year term, subject to the approval of the Board of Directors.

9 (2) Each Region shall, by vote of the eligible active member organizations
10 participating in the LDF, elect one (1) Trustee to the Trust for a term of two
11 (2) years. Each association shall have one (1) vote for each of its beneficiaries
12 in the LDF.

13 B. Law enforcement/peace officer organizations from outside California and Nevada
14 may participate in PORAC Legal Defense Fund (LDF) programs without becoming
15 members of PORAC, provided they meet the participation requirements of, and are
16 approved by the PORAC Legal Defense Fund Board of Trustees.

17
18 Section 2. The Insurance and Benefits Trust/Committee shall govern and direct the administration
19 of all PORAC insurance programs.

20 A. The Trust/Committee shall consist of eleven (11) members/Trustees, who are
21 participants in PORAC sponsored insurance programs, who shall choose a
22 chairperson.

23 (1) Each Region shall, by vote of the eligible active member organizations
24 participating in PORAC insurance programs, elect one (1) Trustee to the
25 Trust/Committee each year for a term of two (2) years.

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ARTICLE XI (Cont'd.)

STANDING COMMITTEES

(2) The President shall appoint a Director to serve as a Trustee of the Insurance and Benefits Trust/Committee for a one (1) year term, subject to approval of the Board of Directors.

(3) The President shall appoint a retired PORAC member to serve as a Trustee for the Insurance and Benefits Trust/Committee for a one (1) year term, subject to approval of the Board of Directors.

Rev. 11/95 Rev. 11/06 Rev. 11/07

(4) The President of PORAC shall also appoint himself/herself/ or the Vice President, as a member of the Trust for a one (1) year term.

Rev. 11/07

B. Each eligible association will have one (1) vote for each of its individual active members.

C. Law enforcement/peace officer organizations from outside California and Nevada may participate in PORAC Insurance and Benefits Trust/Committee programs without becoming members of PORAC, provided they meet the participation requirements of, and are approved by the PORAC Insurance and Benefits Trust/Committee.

Rev. 11/06

Section 3. The Committee on Peace Officer Relations (COPOR) shall be responsible for setting goals and maintaining standards relating to cultural awareness.

A. The Committee on Peace Officer Relations shall consist of five (5) members who shall select a chairperson.

(1) The President shall appoint a Director to serve as a member for a one (1) year term, subject to the approval of the Board of Directors.

1 **ARTICLE XI (Cont'd.)**

2 **STANDING COMMITTEES**

3 (2) The President shall appoint a member from each Region for a one (1) year term,
4 subject to the approval of the Board of Directors.

5 (3) For participation purposes, the Committee on Peace Officer Relations may
6 select any PORAC member as a resource.

7 Section 4. The President may appoint the Labor/Training Committee. When and if appointed, they
8 shall be responsible for coordinating and developing all PORAC sponsored training and
9 for responding to requests regarding labor issues.

10 Rev. 11/04

11 A. The Labor/Training Committee shall consist of six (6) members who shall select
12 a chairperson.

13 (1) The President shall appoint a Director to serve as a member for a two (2) year
14 term, subject to the approval of the Board of Directors.

15 (2) The President shall appoint a member from each Region and from the Nevada
16 Chapter for a two (2) year term, subject to the approval of the Board of Directors.

17 (3) For participation purposes, the Labor/Training Committee may select any
18 PORAC member as a resource.

19 Rev. 11/99 Rev. 11/09

20 Section 5. The Fiscal Management Committee shall review the books, vouchers and records to
21 assure compliance with the fiscal policies of these Bylaws and to make recommendations
22 to the Board of Directors. The Chair of the Fiscal Management
23 Committee will submit an Annual Report to summarize these activities at the Conference
24 of Members.

25 Rev. 11/07

1 **ARTICLE XI (Cont'd.)**

2 **STANDING COMMITTEES**

3 A. The Fiscal Management Committee shall consist of five (5) members. Four (4) of the
4 members shall be directors, one (1) from each Region, who is not a member of the
5 Executive Committee. The Treasurer will be the fifth member of the Committee and
6 the chairperson.

7 Rev. 11/03

8 Section 6. The Budget Committee shall review and finalize the annual budget before it is submitted
9 to the Board of Directors and Conference of Members.

10 A. The Budget Committee shall consist of four (4) members of the Executive Committee,
11 one (1) from each Region, appointed by the President. The Treasurer shall be the
12 fifth member and shall chair the Committee.

13 Rev. 11/07

14 Section 7. The Committee on Government Affairs (CGA) shall direct the administration of PORAC's
15 legislative and political action efforts and programs.

16 A. The Committee on Government Affairs shall consist of a chairperson, and at least
17 one (1) member of the Executive Committee from each Region appointed by the
18 President.

19 Rev. 11/03

20 B. There will also be one (1) active member who is a Peace Officer by any section other
21 than 830.1 or 830.2 of the Penal Code, designated by member associations of the
22 Specialized Police Associations Coalition and appointed by the President.

1 **ARTICLE XI (Cont'd.)**

2 **STANDING COMMITTEES**

3 Section 8. The Board of Directors is authorized to establish a Political Action Committee (PAC)
4 and Fund for candidate contribution expenditures and a Political Issues Committee (PIC)
5 and Fund for contribution expenditures consistent with all federal, state, and local laws.

6 Rev. 11/93

7 Section 9. The Bylaws Committee shall receive, review, make recommendations on, give notice of,
8 and distribute proposed amendments to these Bylaws and Standing Rules. The Bylaws
9 Committee shall consist of the Secretary as chairperson, and one (1) member from
10 each Region.

11 Rev. 11/06

12 Section 10. The Credentials Committee shall determine the eligibility of candidates, voters, and
13 proxies at the Conference of Members. The Committee shall receive and tally votes
14 and report their findings to the presiding officer at the Conference of Members.

15 A. The Credentials Committee shall consist of four (4) members, one (1) from each
16 Region, as recommended by the Region Directors and appointed by the President,
17 who shall also appoint the chairperson. (S.R.)

18
19 Section 11. The Planning and Research Committee shall be responsible for projects and reports, as
20 may be directed by the President, Executive Committee, or the Board of Directors.

21 A. The Planning and Research Committee shall consist of at least five (5) members,
22 one (1) from each Region and a chairperson appointed by the President.

23
24 Section 12. Compensation Committee: The Compensation Committee is a standing committee of the
25 Executive Committee and reviews the commercial reasonableness of compensation

1 **ARTICLE XI (Cont'd.)**

2 **STANDING COMMITTEES**

3 levels for all employees and contractors. The Committee will consist of five (5) members.
4 Four (4) members shall be appointed by the President, one (1) from each Region, with
5 the approval of the Board of Directors. The Vice President shall be the Chair of the
6 Committee.

7 Rev. 11/09

8 Section 13. The Recruitment and Retention Committee is responsible for program development of
9 presentations to current members, and prospective member associations, regarding all
10 aspects of PORAC, its benefits, publications, affiliates, programs, and functions.

11 A. The Committee shall consist of at least one (1) member from LDF, I & B, RMT and
12 the Executive Committee. The PORAC Membership Coordinator shall also be a
13 committee member, as well as secretary. The PORAC Vice President is the Chair
14 of the Committee, and may appoint, subject to approval of the President as ratified
15 by the Board of Directors, up to two (2) additional committee members if deemed
16 necessary. The Chair will schedule meetings as necessary to keep the focus of
17 the committee active and present.

18
19 Section 14. The Executive Committee is the Policy Review Committee for POREF. (S.R.)

20 Rev. 11/01

21 Section 15. The Executive Committee shall serve as an Appeals Board in any dispute arising from
22 employee actions. (S.R.)

23
24 Section 16. The PUBCO Board is the Editorial Committee for the PORAC NEWS. (S.R.)

25 Rev. 11/01

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2 **ARTICLE XI (Cont'd.)**

3 **STANDING COMMITTEES**

4 Section 17. The Specialized Police Association Coalition (SPAC) Committee shall assist the
5 Board of Directors and Executive Committee regarding issues that may affect
6 associations whose members obtain their authority by any section other than 830.1 or
7 830.2 of the Penal Code. The SPAC Committee will consist of one (1) active member
8 from each Region appointed by the President, subject to the approval of the Board of
9 Directors. The SPAC Committee shall appoint one (1) of its members to serve as Chair
10 of the Committee. The SPAC Committee Chair or one (1) of the Committee
11 representatives may attend Board of Directors meetings as required.

12 Rev. 11/07

13 Section 18. The Retiree Medical Trust (RMT) shall govern and direct the administration of the
14 PORAC Retiree Medical Trust.

15 A. The Trust shall consist of five (5) members who are participants in the PORAC
16 sponsored program, who shall choose a chairperson.

17 1. Each Region, shall, by vote of the eligible active members' organizations
18 participating in the PORAC Retiree Medical Trust, elect one (1) Trustee to
19 the Trust for a term of two (2) years. Each association shall have one (1)
20 vote for each of its members in the RMT.

21 2. The President shall appoint a Director to serve as Trustee of the Retiree
22 Medical Trust for a term of one (1) year, subject to the approval of the
23 Board of Directors.

24 3. Until elections are held in each Region, the Retiree Medical Trust Ad Hoc
25 Committee shall be the Interim Trustees of the Trust. Elections shall be
held starting in 2009 in conjunction with other Region elections.

1 Rev. 11/07

2 Section 19. The Retired Associate Members (RAM) Committee shall assist the Board of Directors
3 and Executive Committee regarding issues that may affect the interest and well-being of
4 our retired members. The RAM Committee will consist of one (1) retired associate
5 member from each region appointed by the President, subject to the approval of the
6 Board of Directors. The RAM Committee shall appoint one (1) of its members to serve as
7 Chair of the Committee. The RAM Committee Chair or one (1) of the Committee
8 representatives may attend Board of Directors meetings and Executive Committee
9 meetings as required at the discretion of the President.

10 Rev. 11/09

11 **ARTICLE XII**

12 **DISCIPLINE OF OFFICERS**

13 Section 1. Any officer, Board of Director, Trustee or Committee member may be disciplined for any
14 act or offense constituting a violation of PORAC's Articles of Incorporation, Bylaws,
15 Standing Rules, Rules of Order, or which may otherwise be detrimental to PORAC or a
16 conflict of interest.

17 Rev. 11/04

18 A. A petition raising specific allegations of impropriety as set forth above requesting a
19 confidential investigation, signed by one-third (1/3) of the Board of Directors, shall be
20 filed with the Secretary or the Vice President if the Secretary is the person accused.

21 Rev. 11/04

22 B. An Investigative Committee shall be formed consisting of one (1) member from each
23 Region, not a member of the Board of Directors, appointed by the Directors of each
24 Region. The Investigative Committee shall promptly inquire as to the specific
25 allegations made against the accused individual(s). The Committee shall then

1
2 **ARTICLE XII (Cont'd.)**

3 **DISCIPLINE OF OFFICERS**

4 conduct a thorough investigation into these allegations, reporting their findings,
5 including recommendations and any dissenting minority report, to the Board of
6 Directors in Executive Session.

7 Rev. 11/04

8 C. If the Board of Directors, by a weighted majority vote, concludes that the findings of
9 the Committee constitute prima facie evidence of impropriety, the Board shall
10 schedule an open membership meeting at the time and place designated, which shall
11 not be less than thirty (30) days from the date the charge and Committee findings are
12 served on the accused. Pending the hearing, the Board of Directors may take any
13 appropriate temporary action to protect and defend PORAC from irreparable harm.

14 Rev. 11/04

15 D. The accused may appear in person at the hearing, with witnesses and any
16 exculpatory evidence, to answer the charges preferred against him or her. The
17 charging party and the accused may each select a representative of their choice to
18 assist him or her in the presentation of the evidence in support of the charge or to
19 represent the accused and assist in the presentation of the defense.

20 Rev. 11/04

21 E. if the charges or any portion thereof, are sustained, the Board of Directors shall
22 render judgment and may impose any appropriate disciplinary action, which shall be
23 implemented immediately, excluding removal from office of elected officers which
24 must proceed through the recall procedures set forth in Section 2 below. If the
25 charges are not sustained, the same shall be dismissed. In order to be sustained,

1 **ARTICLE XII (Cont'd.)**

2 **DISCIPLINE OF OFFICERS**

3 the charges must be supported by a preponderance of reliable evidence and a two-
4 thirds (2/3) majority weighted vote of the Board of Directors in order to find the
5 charged party guilty. The Board of Directors may bifurcate its decision on the merits
6 from its decision regarding an appropriate remedy. All written records of the charge,
7 investigation, findings, notice of hearing and record of the proceeding, excluding the
8 final decision of the Board of Directors, shall be sealed, and the entire record shall
9 remain the sole and exclusive property of the PORAC Board of Directors.

10 Rev. 11/04

11 **Section 2.** Any elected officer, Director, Trustee or Committee member may be removed from office
12 for any act or offense constituting a serious violation of the Bylaws, Standing Rules, Rules
13 of Order or which may otherwise be detrimental to PORAC, or a conflict of interest, upon
14 successful recall ballot.

15 Rev. 11/04

16 A. If the charges, or any portion thereof, are sustained, and the Board of Directors
17 rendering judgment deems that the appropriate disciplinary action is removal from
18 office of an accused who is an elected officer, the following procedure shall be utilized.

19 Rev. 11/04

20 (1) A recall meeting shall be noticed by the Vice President, or the Secretary if the
21 Vice President is the person accused, within ten (10) days of the judgment of the
22 Board of Directors and the recall meeting shall be held not less than thirty (30)
23 days or more than sixty (60) days from the filing of that notice.

24 (2) Board of Directors shall appoint three (3) Recall Inspectors consisting of at least

25 Rev. 11/04

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2 **ARTICLE XII (Cont'd.)**

3 **DISCIPLINE OF OFFICERS**

4
5 one member from the Region of the accused, and none being members
6 of the Board of Directors. The Inspectors shall perform the duties necessary to
7 conduct a fair recall and conduct such duties in a manner as set forth in
8 Corporations Code Section 7614(b) and (c), as well as any other duties assigned
9 by the Board of Directors.

10 Rev. 11/04

11 B. The notice of recall meeting shall contain:

- 12 (1) The time and place of the meeting.
- 13 (2) A brief statement of the reasons the recall has been initiated.
- 14 (3) An advisement that if the members in attendance at the meeting vote to remove
15 from office the person accused, the following shall occur:
- 16 (i) if the President is removed, the Vice President shall fill the vacancy pursuant
17 to Article VIII, Section 2 of these Bylaws;
- 18 (ii) if the Vice President or the Treasurer is removed, the Board of Directors shall
19 appoint a Director to fill the vacancy until a successor is elected at the next
20 Conference of Members.

21 C. Any individual removed from office shall be deemed ineligible to hold any elected or
22 appointed office in PORAC for three (3) years from the date he or she was removed.

23 Rev. 11/04

24 D. At least fifteen (15) days prior to the recall meeting, PORAC will mail to all affiliated
25 Associations as of the date of the notice of recall, a signed statement limited to a
maximum length of one (1) page (8½ by 11) by the charging party and one (1) by the

ARTICLE XII (Cont'd.)

DISCIPLINE OF OFFICERS

accused and one (1) of those Directors supporting the recall and one (1) by those
Directors opposed to the recall.

Rev. 11/04

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2 **ARTICLE XIII**

3 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

4 Section 1. Any association affiliated with PORAC engaging in activities or acts inimical or
5 inconsistent with PORAC's Articles of Incorporation, Bylaws, Standing Rules, Rules of
6 Order or law enforcement in general, may be disciplined, including, but not limited to,
7 having its' membership suspended or revoked.

8 Rev. 11/04

9 The procedures for disciplining, suspending or revoking membership shall be the
10 same as the disciplinary procedures as provided in Article XII, Section 1.

11 Rev. 11/04

12 In addition to other appropriate remedial action, by a two-thirds (2/3) majority
13 weighted vote of the Board of Directors, affiliated associations may be disciplined
14 or have its membership suspended or revoked after the Board reviews the
15 Investigative Committee's confidential report and affords the association's
16 representatives to have an opportunity to speak in its defense.

17 Rev. 11/04

18 Section 2. Failure to pay dues as prescribed by these Bylaws and Standing Rules shall result in
19 automatic revocation of membership. The Board of Directors shall provide in the
20 Standing Rules for grace periods, automatic reinstatement, and other procedures for
21 failure to pay dues. (S.R.)

22
23 Section 3. An individual member of PORAC or any member of an organization affiliated with
24 PORAC under Article II of these Bylaws, may be disciplined for engaging in activities or
25 acts inimical or inconsistent with PORAC's Articles of Incorporation, Bylaws, Standing
Rules or law enforcement, in general, as provided in Article XII, Section 1.

1 Rev. 11/04

2 **ARTICLE XIII (Cont'd.)**

3 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

4 A. The individual member, the president of the individual member's association, and the
5 president of the member association's Chapter, shall each be notified at least thirty
6 (30) days prior to the disciplinary hearing based on the Investigative Committee's
7 report. The charge and Investigative Committee's report must be served with the
8 notice of hearing. Pending the hearing, the Board of Directors may take any
9 appropriate temporary action to protect and defend PORAC from irreparable harm.

10 Rev. 11/04

11 B. If the charges, or any portion thereof, are sustained, the Board of Directors shall
12 render judgment and impose any appropriate disciplinary action, excluding removal of
13 the accused from their local association office. The discipline may include, but is not
14 limited to, barring the individual from eligibility to hold office with PORAC, for up to
15 three (3) years. If the charges are not sustained, the same shall be dismissed. In
16 order to be sustained, the charges must be supported by a preponderance of reliable
17 evidence and a two thirds (2/3) majority weighted vote of the Board of Directors.

18 Rev. 11/04

19 C. Nothing in this section shall prohibit a disciplined individual from participating in
20 PORAC benefit programs or affect his/her status in the affiliated member association.

21 Rev. 11/04

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1 **ARTICLE XIV**

2 **ADMINISTRATION**

3 Section 1. The PORAC Board of Directors may hire a General Manager.

4 Rev. 11/98 Rev. 11/01 Rev. 11/03

5 Section 2. In accordance with the standards fixed by the Board of Directors, the General Manager
6 shall execute and carry out the policies, programs, and directives of the Association.

7 A. It is understood that programs of PORAC include those of an employee organization,
8 and include those activities, which have traditionally been carried out by PORAC.

9 B. The General Manager shall have overall responsibility for personnel matters including
10 employment and termination of employment, and recommendation for compensation
11 of staff members employed by PORAC within the parameters established by the
12 Board of Directors.

13 C. Written personnel policies shall be developed by the General Manager subject to the
14 approval of the Board of Directors.

15 Rev. 11/98 Rev. 11/01

16 Section 3. Notwithstanding the above, the General Manager shall be subordinate to the President
17 in matters of policy when the President is exercising the authority granted to him/her in
18 these Bylaws or by the Board of Directors.

19 Rev. 11/98 Rev. 11/01

20 Section 4. PORAC may have an in-house Labor Representation Program (LRP). The LRP shall be
21 a part of the Representation Program and be governed by the Executive Committee.

22
23 Section 5. Reserve funds maintained in the treasury of PORAC shall be expended only upon
24 approval of the Board of Directors or the Executive Committee.

25

ARTICLE XIV

ADMINISTRATION (Cont'd.)

A. The Treasurer, by special report presented at the Conference of Members, shall declare line-by-line, each expenditure from the reserve fund for that calendar year, and shall include the amount of each, the payee, and the cause for such expenditure(s).

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1 **ARTICLE XV**

2 **RULES OF ORDER**

3 Section 1. The Board of Directors shall establish or amend Standing Rules as provided by these
4 Bylaws and may establish Board Policy. (S.R.)

5 A. Standing Rules may be amended or suspended by a majority vote of the Board of
6 Directors if thirty (30) days notice to the member associations is given prior to a
7 meeting or by three-fourths (3/4) vote of the Board of Directors at any time.

8 B. Board Policy may be established, suspended or amended by a majority vote of the
9 Board of Directors at any time.

10
11 Section 2. The Articles of Incorporation, these Bylaws, with all Standing Rules attached and any
12 amendments or additions to Standing Rules shall be distributed to all member
13 organizations upon request.

14
15 Section 3. ROBERT'S RULES OF ORDER (RRO), Newly Revised, shall govern in all cases
16 addressed in these Bylaws and Standing Rules.

1 **ARTICLE XVI**

2 **BYLAW AMENDMENTS**

3 Section 1. Proposed amendments to these Bylaws shall be submitted to the Bylaws Committee not
4 less than sixty (60) days prior to the Conference of Members and distributed to all active
5 members not less than thirty (30) days prior to Conference.
6

7 Section 2. Amendments to these Bylaws shall be approved by two-thirds (2/3) of the votes cast at
8 the Conference of Members.
9

10 Section 3. Notwithstanding the above, proposed amendments may be submitted at the Conference
11 of Members in the case of unseen emergencies or extraordinary situations as
12 determined by two-thirds (2/3) of the members.
13

14 Section 4. Proposed Bylaw and/or Standing Rule amendments shall automatically be brought into
15 consistency with existing Bylaw form and/or Standing Rule language by the Bylaws
16 Committee. The intent of the proposed amendments shall be maintained. All changes
17 made by the Bylaws Committee, when possible, shall be returned to the author of the
18 proposed amendment for concurrence.
19

20 Section 5. Enactment of a new Bylaw Amendment automatically carries the approval of the
21 membership for changing any other Bylaw and/or Standing Rule to conform to the new
22 amendment. Such additional changes will not be presented to the membership nor
23 voted upon. The Bylaws Committee with approval of the Board of Directors shall
24 promptly make such "changes to conform."
25

Rev. 11/95

1 **STANDING RULES TO PORAC BYLAWS**

2 **S.R. Article I**

3 **NAME AND OBJECTIVES**

4 **S.R. Article II**

5 **MEMBERSHIP - POLICY**

6
7 Section 1. *Nothing in these Bylaws or Standing Rules should be in degradation of the rights of*
8 *member organizations to deal with local problems affecting solely the member*
9 *organization.*

10
11 Section 2. *Membership Approval.*
12 *A. Associations seeking PORAC membership shall submit a membership application,*
13 *and a membership list. Their membership shall begin on the first of the month*
14 *following membership approval by the Executive Committee or the Board of Directors.*
15 *At such time, a check or other form of payment approved by PORAC covering the*
16 *remainder of that quarter's dues is payable.*
17 *B. Associations asserting a bonafide urgency in joining PORAC, as deemed appropriate*
18 *by the PORAC President or Vice President, may become members forthwith, upon*
19 *submitting the required documents and check or other form of payment approved by*
20 *PORAC, and such membership and eligibility approved in writing, by the PORAC*
21 *President or Vice President. Such urgency membership approvals are, however,*
22 *subject to ratification at the next meeting of the Executive Committee or Board of*
23 *Directors.*

24 Rev. 11/04 Rev. 11/07

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1 **S.R. Article II (Cont'd.)**

2 **MEMBERSHIP – POLICY**

3 Section 3. *PORAC membership benefits for individual members must be obtained through their*
4 *recognized or exclusive bargaining agent (association) if such association is a member*
5 *of PORAC.*

6 *A. The Insurance and Benefits Committee/Trust may sponsor a PORAC approved*
7 *insurance plan offered to a recognized bargaining unit when at least seventy-five*
8 *(75%) percent of that unit are PORAC members, and when such a plan is fully paid*
9 *by the employer.*

10 *B. Federal officer organizations not included in Article XI, Section 1.B. may participate in*
11 *Legal Defense Fund (LDF) programs by paying an access fee and after a review of*
12 *the organization by the Executive Committee and the Board of Directors.*

13 Rev. 11/02 Rev. 05/03

14 Section 4. *Associate membership may be approved for the following classes of individuals:*

15 *A. Sworn peace officers covered in Section 830, et seq., of the California Penal Code*
16 *and whose local association is not a member of PORAC provided, however, that*
17 *when fifty-one (51%) percent of the members of said association apply for associate*
18 *membership, their association must become active members.*

19 *B. Other law enforcement related individuals.*

20 *C. Any person qualified per Bylaw Article II, Section 4, their surviving spouse or surviving*
21 *qualified dependent(s) who desires PORAC affiliation may become a Retired*
22 *Associate Member (RAM).*

23 *D. Retired peace officers who are members of the Retired Peace Officers Association of*
24 *California (RPOAC).*

25 Rev. 11/06

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3 **S.R. Article II (Cont'd.)**

4 **MEMBERSHIP – POLICY**

5 Section 5. *Honorary membership may be approved for any person who has contributed substantially to*
6 *the advancement of PORAC at the Chapter, Region, State or National level. Honorary life*
7 *members shall be sponsored by their respective PORAC Chapter. The local Chapter shall*
8 *be responsible for a one-time life dues payment of fifty dollars (\$50.00). Honorary life*
9 *members may be provided with a symbol of appreciation for his/her service to PORAC as*
10 *provided by their sponsor. Honorary life membership bestows no other privileges or rights*
11 *within PORAC upon the honoree.*

12 Rev. 05/03 Rev. 11/08

13 Section 6. *Membership Lists - Prohibited Use of: The membership list of PORAC is a corporate asset.*
14 *Without consent of the Board of Directors, or in their absence, written approval from the*
15 *President, the membership list or any part thereof, may not be used by any person for any*
16 *purpose not reasonably related to a member's interest as a member.*

17 *A. The membership list may not be used for the following:*

- 18 *(1) To solicit money or property unless such money or property will be used solely to*
19 *solicit the vote of the members in an election to be held by PORAC, or for the*
20 *emergency needs of a member.*
- 21 *(2) For any purpose which the user does not reasonably and in good faith believe*
22 *will benefit PORAC as determined by the Board of Directors or the President.*
- 23 *(3) For any commercial purpose or purpose in competition with PORAC.*
- 24 *(4) Sold to or purchased by any person.*

25 *B. No production, nor mailing costs of said list may be borne by Headquarters without*
approval of the Board of Directors.

1 **S.R. Article III**

2 **DUES/CONTRIBUTIONS**

3 Section 1. *All dues shall be paid quarterly by the member association only by cash, cashier's or*
4 *association's check or other form of payment approved by PORAC. All payments for*
5 *dues shall be applied to any arrearage before being applied to dues currently owed.*

6 Rev. 11/04 Rev. 11/07

7 Section 2. *Retired membership dues paid by Retired Peace Officers Association of California*
8 *(RPOAC) shall be paid in equal quarterly installments in advance.*

9 Rev. 11/00 Rev. 11/04

10 Section 3. *Associate dues including Retired Associate Membership dues (RAM), must be paid when*
11 *due or upon application, or such member will be suspended at the beginning of the next*
12 *quarter.*

13 Rev. 11/92 Rev. 11/04 Rev. 11/08

14 Section 4. *PORAC Headquarters shall keep dues records and shall distribute quarterly reports*
15 *reflecting payments and delinquencies as required by the Board of Directors.*

16 Rev. 11/04

17 Section 5. *A five (5%) percent reimbursement of the total non-delinquent General Fund dues paid*
18 *by member associations shall be remitted to each Chapter **pursuant to S.R. Article***
19 ***VIII, Section 7.***

20 *A. Reimbursement generated from member associations' dues shall, as voluntarily*
21 *approved by such associations, be placed in the PORAC PAC/PIC.*

22 *B. As of January 1, 2002, no Chapter shall receive less than nineteen hundred twenty*
23 *dollars (\$1,920.00) per year.*

24 Rev. 11/00 Rev. 11/04 Rev. 02/05 **Rev. 02/08**

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3 **S.R. Article III (Cont'd.)**

4 **DUES/CONTRIBUTIONS**

5 Section 6. *Effective May 1, 2005, voluntary contributions to the PORAC Political Action Issues*
6 *Committee (PAC/PIC Fund) shall be two dollars and no cents (\$2.00) from dues paid by*
7 *active member organizations on a per capita basis per month. The additional dues*
8 *assessment (\$1.00) beginning April 1, 2008, shall be placed in the PIC Account and*
9 *specifically designated for use against any ballot measure or initiative that could diminish*
10 *or reduce PORAC members' benefits or rights. This language pertaining to the additional*
11 *dues*
12 *assessment will automatically sunset on December 31, 2008.*

13 Rev. 11/05 Rev. 11/07

14 *The Executive Committee or the Board of Directors shall determine the portion of the*
15 *voluntary contributions placed in the PAC and PIC accounts, and the amounts contributed*
16 *to candidates, to ballot measures, initiatives, and any other non-candidate ballot*
17 *questions or Issues. On a twice-yearly basis (every six (6) months) a PORAC Chapter*
18 *will be able to designate if they will participate in the PAC/PIC Split designated by the*
19 *Executive Committee or Board of Directors or if the Chapter would opt to designate how*
20 *their portion of PORAC Political Action Issues Committee (PAC/PIC) will be distributed*
21 *exclusively into their Chapter PAC Account.*

22 Rev. 11/00 Rev. 05/05 Rev. 11/07

23 *A. Chapter Political Action Committees shall be allocated twenty-one cents (\$.21) of the*
24 *voluntary contributions from their member associations, except funds generated from*
25 *any statewide association.*

1 *B. All voluntary contributions received from statewide associations shall remain in the*
2 *PORAC (State) Political Action Fund.*

3 **S.R. Article III (Cont'd.)**

4 **DUES/CONTRIBUTIONS**

5 *C. Member associations wishing not to participate in Political Action and Issues*
6 *Committee contributions shall instead upon notification, have such funds placed in*
7 *the PORAC General Fund.*

8
9 **Section 7.** *Mid-quarter membership additions and terminations within an association:*

- 10 *A. A member association may add or delete individual members during a quarter.*
- 11 *B. Individual members added by a PORAC member association will have an effective*
12 *date of the postmark dated on the envelope, unless a later date is specified.*
- 13 *C. Individual members deleted by a PORAC member association will have an effective*
14 *termination date of the end of the month of the postmark dated on the envelope,*
15 *unless a later date is specified. Credit for dues will be given for the remaining*
16 *month(s) of the quarter. A member's termination date must be the same or later than*
17 *their termination date for services in PORAC sponsored programs. (LDF, Insurances)*
- 18 *D. Dues credits for new deleted members will be included in the next quarterly statement.*

19
20 **Section 8.** *Access Fee for the PORAC Legal Defense Fund (LDF):*

- 21 *A. Federal officer organizations fulfilling the requirements in the PORAC Bylaws, Article II,*
22 *Section 12, may participate in LDF by paying an access fee. The access fee will be*
23 *collected by LDF and submitted to PORAC on a quarterly basis.*
- 24 *B. The per member access fee for federal officer organizations will be:*
- 25 *1. Plan I (civil, criminal and administrative) \$1.00*
- 2. Plan II (civil, criminal) \$.50*

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3. *Plan III (civil, criminal, limited administrative)* \$.75

Rev. 05/03 Rev. 11/04

1 **S.R. Article IV**

2 **REGIONS/CHAPTERS**

3 Section 1. *Statewide at-large associations shall designate annually at the Conference of Members*
4 *the Chapter and Region in which their Director shall function.*

5
6 Section 2. *Regions and Chapters shall be designated as follows:*

7 *A. Region 1*

8 *Chapter 1 Northern California*

9 *Chapter 2 Bay Area*

10 *Chapter 3 Central Coast*

11 *Chapter 13 Redwood*

12
13 *B. Region II*

14 *Chapter 4 Valley*

15 *Chapter 5 Central California*

16 *Chapter 6 South San Joaquin Valley*

17 *Chapter 14 North Valley*

18 *Chapter 15 Nevada*

19
20 *C. Region III*

21 *Chapter 7 Tri-Counties*

22 *Chapter 8 L.A. North*

23 *Chapter 9 L.A. South*

1 **S.R. Article IV (Cont'd.)**

2 **REGIONS/CHAPTERS**

3 *D. Region IV*

4 *Chapter 10 Inland*

5 *Chapter 11 Orange County*

6 *Chapter 12 San Diego/Imperial*

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1 **S.R. Article V**

2 **POWERS**

3 Section 1. *Endorsements*

4 A. *Chapters may make political endorsement for all local offices, ballot items, and*
5 *appointments, within their jurisdiction. They may only make recommendations to the*
6 *Board of Directors for nationwide and statewide offices, state ballot items, and state*
7 *appointments.*

8 (1) *The PORAC endorsement shall automatically be given for local*
9 *endorsements made by Chapters which do not conflict.*

10 (2) *Conflicts within a Chapter or between Chapters would preclude a PORAC*
11 *endorsement.*

12 (3) *Chapters shall not make local endorsements that are in conflict with "Home*
13 *Rule" as defined by each Chapter's bylaws.*

14 Rev. 11/06

15
16 B. *The Board of Directors shall make endorsements for statewide offices and*
17 *appointments, based upon recommendations of PORAC subdivisions: Chapters,*
18 *Regions, members, and Office of Government Affairs, subject to the following:*

19 (1) *It shall take a two-thirds (2/3) vote of the Board of Directors to take a position on*
20 *statewide offices, ballot items, and appointments contrary to a Chapter/Region*
21 *recommendation.*

22 (2) *Conflicts in state and national recommendations for endorsements between*
23 *Chapters and/or Regions shall result in no PORAC endorsement, unless*
24 *resolved by a three-fourths (3/4) vote of the Board of Directors.*

25

1 **S.R. Article V (Cont'd.)**

2 **POWERS**

3 *C. No officer, member or subdivision of any Chapter, Region, or Office of Government*
4 *Affairs of PORAC, shall make any endorsement in PORAC's name, that is not an*
5 *endorsement made under this section. Regions and Chapters may make*
6 *endorsements consistent with PORAC endorsements.*

7 *D. For this section, "nationwide" means Federal Government offices, ballot items and*
8 *appointments.*

9 *E. For this section, "statewide" means State Government offices, ballot items and*
10 *appointments.*

11 *F. "Local" means county, municipal, or special district offices, ballot items and*
12 *appointments.*

13 *G. Nothing in this Standing Rule shall prevent a member association from making their*
14 *own endorsement.*

15 *H. In the event the Board of Directors cannot act in a timely manner, the Executive*
16 *Committee may make an endorsement. The Executive Committee will make no*
17 *endorsement without verifying that the affected Region or Chapter has no current*
18 *endorsement or conflicting position. Only after an affirmative poll of the Board of*
19 *Directors may an endorsement for U.S. President be made.*

20 Rev. 05/03 Rev. 11/06

21 **Section 2.** *The PORAC Board of Directors/Executive Committee shall have oversight regarding*
22 *the participation in PORAC Legal Defense Fund and PORAC Insurance and Benefits*
23 *Committee/Trust and/or Committee programs and the PORAC Retiree Medical Trust by*
24 *law enforcement/peace officer organizations from outside California and Nevada.*

25 Rev. 11/95

1 **S.R. Article V (Cont'd.)**

2 **POWERS**

3 Section 3. *The Board of Directors may authorize the full or part-time release of any elected officer*
4 *at its sole discretion.*

5 Rev. 11/05 Rev. 11/06

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1 **S.R. Article VI**

2 **OFFICERS/BOARD OF DIRECTORS/EXECUTIVE COMMITTEE**

3 Section 1. *For the purpose of Regional business, continuous tenure in office is the senior director of*
4 *their Region.*

5
6 Section 2. *Executive Committee member positions in each Region shall be designated by seat one*
7 *(1) for positions elected in odd years and seat two (2) for positions elected in even years.*

8
9 Section 3. *The Chair of SPAC (Specialized Police Association Coalition) or a SPAC Region*
10 *designee, and the Nevada Chapter Director or designee, shall be invited to attend all*
11 *Executive Committee meetings at PORAC expense. These representatives will be non-*
12 *voting representatives whose purpose will be to provide input to the Executive Committee*
13 *regarding issues that will potentially affect the members they specifically represent.*

14 Rev. 11/03 Rev. 11/04 Rev. 11/07 Rev.11/09

1 **S.R. Article VII**

2 **MEETINGS**

3 Section 1. *All meetings of PORAC, its Boards, Trusts and Committees shall be open to the*
4 *membership except when in Executive Session.*

5
6 Section 2. *A quorum of the Executive Committee shall consist of six (6) voting persons present at*
7 *the time the meeting is called to order.*

8
9 Section 3. *Executive Committee members should attend LDF and Insurance and Benefits*
10 *Committee/Trust and Retiree Medical Trust meetings held within their respective Regions.*

11 Rev. 11/99 Rev. 11/02

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1 **S.R. Article VIII**

2 **DUTIES-POLICIES**

3 Section 1. *The Secretary may appoint an assistant or recording secretary to assist with the*
4 *preparation of the minutes.*

5
6 Section 2. *The Treasurer's duties include all of the following:*

7 *A. State and Federal Taxes, Reports to the Secretary of State. The Treasurer shall, with*
8 *professional assistance as required, prepare and file all tax reports with the Internal*
9 *Revenue Service and the State Franchise Tax Board. He/She shall file all required*
10 *reports with the Secretary of State of the State of California, pursuant to Section 8210*
11 *of the California Corporations Code, the Fair Political Practices Commission, and any*
12 *and all governmental entities requiring reports from PORAC. All such filings shall be*
13 *in a timely manner.*

14 Rev. 11/04

15 *B. Audits. The Treasurer shall annually submit all books, accounts, funds, or equipment*
16 *in his/her possession, or under his/her control to an authorized accountant or auditor.*
17 *The audit report is to be completed and published prior to the next Conference of*
18 *Members.*

19 Rev. 11/04

20 *C. Financial Report. The Treasurer shall quarterly balance all financial records and*
21 *report to the Board of Directors at its meetings, all income to and expenditures from*
22 *the corporate treasury and the balance remaining in PORAC's account.*

23 Rev. 11/04

24 *D. The Treasurer is to keep all financial records and fiscal transactions of PORAC. In*
25 *keeping such financial records and accounts, the Treasurer shall insure the following:*

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 (1) *All financial records are to be kept in a manner following generally accepted*
4 *accounting methods.*

5 (2) *The account for receipt of dues is separately maintained.*

6 (3) *The accounts for political action funds are separately maintained.*

7 *In no event, notwithstanding the above, shall the Treasurer mingle any funds or*
8 *conduct any financial transactions which will jeopardize the non-profit status of*
9 *PORAC. The Treasurer may from time to time, as the need arises, create new*
10 *accounts necessary for the fiscal operation of PORAC. Such actions shall*
11 *promptly be reported to the Board of Directors and to the delegates at the*
12 *Conference of Members.*

13 Rev. 11/04

14 (4) *Preparation of an Annual Report in compliance with Corporations Code Section*
15 *8321, and the members shall be notified of their right to receive a copy of the*
16 *same.*

17 Rev. 11/07

18 E. *The Treasurer shall expend budgeted funds. If funds are not budgeted, the Treasurer*
19 *may not expend funds without approval of the Executive Committee or the Board of*
20 *Directors.*

21 (1) *Expenditure of unbudgeted funds for amounts up to five thousand dollars*
22 *(\$5,000.00) requires the approval of the Executive Committee.*

23 (2) *Expenditure of unbudgeted funds in excess of five thousand dollars (\$5,000.00)*
24 *must be approved by the Board of Directors.*

25 Rev. 11/04

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 *F. Expenditures-Reimbursement. The Treasurer shall at the direction of the Board of*
4 *Directors expend budgeted funds to reimburse members, officers, Board of Directors,*
5 *committee members, employees or contractual personnel for reimbursable expenses*
6 *incurred by the same while performing PORAC business.*

7 *Such expenditures may be for, but not limited to: food, lodging, vehicle mileage*
8 *expense, transportation expenses, tolls, fees, seminars, tips, training programs, and*
9 *insurance premiums. PORAC shall not claim ownership, nor require use of frequent*
10 *flyer or similar credits earned on travel or credit card reimbursements while on*
11 *PORAC business.*

12 *G. Termination of Office. At the expiration of his/her tenure of office, or prior thereto, the*
13 *Treasurer shall deliver to his/her successor all funds, monies, books, records,*
14 *accounts, documents, equipment, property and/or other things belonging to PORAC*
15 *or to his/her office.*

16 Rev. 11/04

17 *H. The Treasurer may utilize PORAC staff to facilitate completing his/her duties.*

18
19 **Section 3. Fiscal Policies:**

20 *A. Fiscal policies contained in the Bylaws and Standing Rules shall apply to all of*
21 *PORAC.*

22 *B. No check or other form of payment in the amount of five hundred dollars (\$500.00)*
23 *or more shall be made or issued by PORAC unless personally signed by two (2)*
24 *persons authorized by the Board of Directors to sign checks and all persons so*
25 *authorized shall be bonded.*

Rev. 11/07

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 C. *Business Expense Reimbursement: Authorized business expenses will be paid upon*
4 *the submission of a statement by an employee or member, approved by the Treasurer*
5 *or his/her designee, setting forth the following elements of the expenditure: (i)*
6 *amount, (ii) time and place of the expenditure, (iii) the business purpose for the*
7 *expenditure, and (iv) the business relationship to the employee or member of any*
8 *person entertained by the expenditure. Each item of expenditure must be supported*
9 *by a receipt.*

10 (1) *The Treasurer shall review expense reimbursements on a quarterly basis and*
11 *report to the Board of Directors any deviation from the above standards.*

12 Rev. 11/04

13 (2) *Late Expense Vouchers: Any expense voucher that is over three (3) months old*
14 *shall be approved by the Executive Committee or full Board of Directors prior to*
15 *payment. Any expense incurred that is over six (6) months old shall not be*
16 *honored.*

17 D. *PORAC Credit Cards:*

18 (1) *Credit cards in the name of PORAC will be used only for authorized business*
19 *purposes of PORAC.*

20 (2) *No PORAC credit card shall be issued to an individual.*

21 (3) *Telephone cards shall only be issued by PORAC Headquarters to the Board of*
22 *Directors, Committee/Trust Chairs, Chapter Presidents, Chapter PAC*
23 *representatives, and members and employees as needed, and used for official*
24 *business only.*

25 Rev. 11/04

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 *E. PORAC will establish appropriate salary ranges based upon a salary survey of*
4 *associations and organizations with like positions. This survey shall be performed*
5 *every other year. During the year a survey is not performed, the Compensation*
6 *Committee shall establish a cost-of-living adjustment as appropriate.*

7 (1) *The General Manager's salary level shall be determined by the Executive*
8 *Committee. All other salary levels shall be determined by the General Manager, in*
9 *conjunction with the Compensation Committee, based upon merit and budget*
10 *allocations.*

11 Rev. 11/98 Rev. 11/01

12 (2) *On or before October 1, of each year, the Compensation Committee shall submit*
13 *a schedule of compensation levels to the full Board of Directors for its approval.*

14 Rev. 3/94

15 (3) *Prior approval of the Board of Directors must be obtained for the hiring of any*
16 *relative of a Director or employee. Prior to approval, the Board of Directors should*
17 *be satisfied that reasonable investigation of other potential applicants was made*
18 *and that the relative is more suitable than other potential employees.*

19 Rev. 11/98

20 *F. Personal Financial Transactions: Any transactions between PORAC and (i) a Officer*
21 *and/or Director or employee with a personal financial interest in the transaction or (ii)*
22 *an entity or association in which the Officer, Director or employee has an interest for*
23 *which he/she serves as an officer or Director, must be approved by a majority vote of*
24 *disinterested Board of Directors prior to the transaction and in any event in accordance*
25 *with the California Nonprofit Corporation Law. Furthermore, no loans shall be*

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 *approved or made without a substantial business purpose to benefit PORAC and*
4 *approval of such loans must be made by the Board of Directors in accordance with*
5 *the California Nonprofit Corporation Law. Salary advances are generally prohibited.*

6 **G. Expenditure Guidelines:**

7 **(1) Director**

8 **(a) Association meetings:**

- 9 (i) *local association- no reimbursement for own association meeting.*
10 (ii) *within Chapter- reimbursed only when authorized by the Chapter, and then*
11 *only when not possible for the Chapter to pay.*

- 12 (iii) *outside Chapter- reimbursed as authorized by the President or Vice*
13 *President.*

14 **(b) Chapter meetings:**

- 15 (i) *local Chapter- reimbursed, but if possible, to be reimbursed by own*
16 *Chapter.*
17 (ii) *outside local but within Region- reimbursed as authorized and paid for by*
18 *own Chapter.*

19 *Excludes Executive Committee members who are authorized to attend all*
20 *Chapter meetings within their Region.*

- 21 (iii) *outside Region- reimbursed as authorized by the President or Vice*
22 *President.*

23 **(c) Region meetings:**

- 24 (i) *local Region- reimbursed, but if possible, to be reimbursed by own Chapter.*
25

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 (ii) *outside local Regions- reimbursed as authorized by the President or*
4 *Vice President.*

5 (d) *Board of Directors' meetings and the Conference of Members:*

6 (i) *reimbursed upon timely submission of appropriate voucher to PORAC*
7 *Headquarters.*

8 (e) *Other meetings:*

9 (i) *reimbursed when authorized by the President or Vice President.*

10 (ii) *Committee members- reimbursed when authorized by the President or*
11 *Vice President.*

12 (iii) *Committee Chairpersons, Executive Officers, other non-employees, and*
13 *the Bylaws, Standing Rules, Board of Directors, Executive Committee or*
14 *President.*

15 (2) *Committee Members*

16 (a) *reimbursed for all actual PORAC business expenses, as limited to those*
17 *budgeted for, subject to review of the General Manager.*

18 Rev. 11/04

19 (3) *Employees (excluding the General Manager)*

20 (a) *reimbursed for all actual PORAC business expenses, as limited to those*
21 *budgeted for, subject to review of the General Manager.*

22 Rev. 11/98 Rev. 11/01 Rev. 5/04

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1 **S.R. Article VIII(Cont'd.)**

2 **DUTIES-POLICIES**

3 (4) *Travel*

4 (a) *auto:*

5 (i) *mileage reimbursement shall be in accordance with the current Internal*
6 *Revenue Service guidelines.*

7 (ii) *prior approval of mileage over 300 miles one-way shall be made by the*
8 *President or, at the President's discretion, cost of airfare in lieu of mileage*
9 *may be approved.*

10 (iii) *rental cars are not authorized if other feasible means of travel are*
11 *available; when authorized by the President or Vice President, rental cars*
12 *should be arranged through PORAC Headquarters, if possible.*

13 (iv) *cab, bus, parking: actual cost including tip with receipt.*

14 (v) *valet parking may be approved.*

15 Rev. 5/04 Rev. 11/07

16 (b) *Commercial travel:*

17 (i) *commercial travel will be arranged through PORAC Headquarters when*
18 *possible.*

19 (ii) *chartered air/bus will need prior approval of the President.*

20 Rev. 5/04

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1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 (5) *Meals, Hotels, and Miscellaneous*

4 (a) *meals; (food and drink)*

(i) MEALS	RECEIPTED	UNRECEIPTED
Breakfast	\$15.00	\$ 5.50
Lunch	20.00	9.50
Dinner	<u>40.00</u>	<u>15.00</u>
	\$75.00	\$ 30.00

10 Rev. 5/04

11 (ii) *original itemized vendor generated receipts are required for all receipted*
12 *Expenses*

13 Rev2/09

14 (iii) *meals over the above limits will require a receipt justification, and approval*
15 *of the President or Vice President. In no event will the reimbursable*
16 *amount exceed twice the maximum of the receipted meal expense set*
17 *forth in S.R. Article VIII G (5) (a) (i).*

18 Rev. 11/99 Rev. 5/04 Rev. 7/04 Rev. 11/04

19 (iv) *meals for other persons will be listed on vouchers indicating business*
20 *purpose and their names.*

21 (v) *meals are not authorized for spouses/significant others except when*
22 *approved by the Executive Committee or the Board of Directors.*

23 Rev. 11/99 Rev. 5/04

24 (vi) *exceptions to this policy for the President or Vice President can be made*
25 *by the Executive Committee.*

Rev. 5/04

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 (vii) *tips for meals will not exceed 20% of the total bill.*

4 (viii) *tips, meals and beverage shall be included in the maximum receipted*
5 *amounts per meal. Exceptions for exceeding the receipted meal*
6 *allowance per S.R. Article VIII, Section (G) (5) (a) will require an*
7 *explanation when submitting the receipt and voucher for reimbursement*
8 *and may be approved by the President or Vice President per S.R. Article*
9 *VIII, Section (G) (5) (a) (iii).*

10 Rev. 5/04 Rev. 7/04

11 (b) *hotel:*

12 (i) *will be arranged through PORAC Headquarters when possible.*

13 (ii) *actual room rate, plus tax.*

14 (c) *miscellaneous:*

15 (i) *no entertainment reimbursement unless business purpose indicated.*

16 (6) *Expense Advances*

17 (a) *authorized if arrangements are made thirty (30) days in advance through the*
18 *President for members, or the General Manager for employees.*

19 Rev. 11/98 Rev. 11/01

20 (b) *requests are to be made on an appropriate voucher, submitted to PORAC*
21 *Headquarters, and then followed-up with an appropriate voucher showing the*
22 *actual expenses.*

23 (c) *advances will be based on non-receipted expense guidelines under Internal*
24 *Revenue Service Rules.*

25 Rev. 3/94 Rev. 5/04

1 **S.R. Article VIII (Cont'd.)**

2 **DUTIES-POLICIES**

3 (7) *Review Process*

4 (a) *In the event an emergency arises with unauthorized expense, necessary*
5 *reimbursement for such will be subject to review by the Board of Directors.*

6 Rev. 5/04

7 **Section 4.** *The Executive Committee is:*

- 8 *A. the Policy and Editorial Review Board for the PORAC NEWS.*
9 *B. the Policy Review Board for POREF.*

10 Rev. 5/93

11 **Section 5.** *The Executive Committee may, from individuals nominated by the Chapters, select a*
12 *“PORAC Member of the Year,” to be honored at the Conference of Members.*

13
14 **Section 6.** *The Executive Committee shall serve as an Appeals Board in any dispute arising from*
15 *employee actions.*

16 **Section 7.** *Chapters will comply with the following:*

- 17 *A. The Chapter shall report to the PORAC Treasurer on its quarterly income and*
18 *expenses. **The report shall reconcile with the Chapter bank statements and***
19 ***shall provide sufficient explanations of all revenues and expenditures.***
20 *B. Chapter reimbursement checks will not be issued until the quarterly report is received*
21 ***and approved by the Treasurer or his designee.***
22 *C. The PORAC Treasurer or his/her designee shall have the right to inspect Chapter*
23 *financial records.*
24 *D. Chapters may engage in fund raising if the fund raising will not generate unrelated*
25 *business income.*

Rev. 02/08

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S.R. Article VIII (Cont'd.)

DUTIES-POLICIES

Chapter fund raising plans will be submitted to the Board of Directors for approval and in advance of the event. The Board or the Executive Committee shall review the proposal to determine whether it will generate unrelated business income effecting PORAC.

Rev. 11/93

Section 8. *The Conference Co-Chairs shall approve all expenditures for the Annual Conference and shall assure that those expenditures do not exceed the Annual Conference budget.*

Rev. 11/01

APPENDIX
S.R. Article VIII, Section 3G
EXPENDITURE GUIDELINES

	Local Assn	Assn w/i Chapter	Assn o/s Chapter	Local Chapter	Outside Chapter w/I Region	Chapter Outside Region	Local Region	Outside Region	BOD
Director	NO	YES (2)	YES (3)	YES (3)	YES (4)	YES (5)	YES (3)	YES (4)	YES (6)
Employee	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
E Comm Director	NO	YES	YES (2)	YES (3)	YES	YES (3)	YES	YES (3)	YES (6)

(1) Reimbursed for all actual PORAC business expenses, as limited to those budgeted for, subject to review of the General Manager.

(2) Reimbursed only when authorized by the Chapter and then only when not possible for Chapter to pay.

(3) Reimbursed as authorized by the President or Vice President.

(4) Reimbursed, but, if possible, by own Chapter.

(5) Reimbursed as authorized and paid for by own Chapter.

(6) Reimbursed upon timely submission of appropriate voucher to PORAC Headquarters.

1 **S.R. Article IX**

2 **ELECTIONS/APPOINTMENTS**

3 Section 1. *Unless denied by the Executive Committee, the immediate Past President may complete*
4 *their term even if no longer an active member of PORAC.*

5 Rev. 11/06

6 Section 2. *It is incumbent on any active PORAC member who holds an elected or appointed*
7 *position in the PORAC organization and who also is an employee of PORAC, to disclose*
8 *any conflicts of interest and to excuse himself/herself from taking any such action as a*
9 *PORAC officer which create such conflict.*

10 Rev. 11/99 Rev. 11/06

11 Section 3. *Upon completion of Region election counts, the Vice President shall announce the*
12 *results and include the following:*

13 *A. All ballot candidates and write-in candidates.*

14 *B. Tally of votes cast for each candidate.*

15 *C. Total votes cast.*

16 Rev. 11/06

17 Section 4. *Upon election of Chapter State Directors, each Chapter shall promptly report the*
18 *results to the PORAC Vice President and General Manager.*

1 **S.R. Article X**

2 **VOTING**

3 Section 1. *Voting Strength*

4 *Voting strength for active member organizations at any PORAC Conference, meeting or*
5 *gathering shall be predicated on one (1) vote per the rate prescribed in Bylaw Article X.*

6 Rev. 05/03

7 Section 2. *Credentials Committee*

8 *A. For Regional and State elections, the Credentials Committee shall establish a date*
9 *by which dues must be received for the purpose of calculating voting strength. All*
10 *Directors, Chapter Presidents, and Association Presidents, shall be sent such*
11 *dates/information not less than thirty (30) days prior to the cut-off date. For Region*
12 *and Chapter meetings where voting by member associations may take place, the*
13 *date by which dues must be received and current shall be the date of the meeting*
14 *or gathering.*

15 Rev. 05/03

16 *B. As a Standing Committee under Article XI, Section 10 of the PORAC Bylaws and*
17 *Article XI, Section 4 of these Standing Rules, the Credentials Committee, consisting*
18 *of four (4) members, one (1) from each Region, plus a Chairperson designated from*
19 *the Executive Committee, shall convene at least one (1) day prior to the start of the*
20 *Conference of Members in order to receive designations and/or proxies from active*
21 *member organizations and to conduct any delegated functions or other appropriate*
22 *business of the Committee.*

23 Rev. 05/03

24 *C. At the commencement of the second day of the Conference of Members, the*
25 *Credentials Committee shall provide a report to the Secretary including a list of all*

1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 *active member organizations which provide timely designation or proxy forms.*

4 Rev. 05/03

5 Section 3. *Designations:*

6 A. *Active member organizations in attendance at the Conference of Members or other*
7 *meetings, shall designate a member from their own association as their*
8 *representative to communicate the interests and cast the vote of their organization.*

9 Rev. 05/03

10 B. *For the Conference of Members, designations on an approved form must be*
11 *submitted to the Credentials Committee by 12:00 noon on the first day of the*
12 *Conference of Members to be valid.*

13 Rev. 05/03

14 C. *For meetings other than the Conference of Members, written designations must be*
15 *submitted to the Presiding Officer or Secretary prior to the casting of any vote.*

16 Rev. 05/03

17 D. *All designations under this section must be on an approved form and include the*
18 *name of the active member organization, the name of the designee, date, signature*
19 *of the Association President or Vice President issuing the designation, and a list of*
20 *alternates in descending order if the designee so chooses. Only a PORAC member*
21 *who is a member of the designating association may be authorized to represent that*
22 *active member organization by way of designation under these Standing Rules.*

23 Rev. 05/03

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1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 Section 4. *Directors and Officer Designations*

4 A. *At meetings other than the Conference of Members, Directors or officers may*
5 *designate a representative to communicate the interests of, count toward a quorum*
6 *and cast the votes for their office. Written designations may be submitted to the*
7 *Secretary prior to casting any vote.*

8 Rev. 05/03

9 B. *Such designations shall be in writing and shall include the name of the officer or*
10 *Director, the name of the designee, the signature of the officer or Director, and the*
11 *date of designation.*

12 Rev. 05/03

13 C. *Executive Committee members may only designate a Director or Chapter President*
14 *from their Region to represent their office at Executive Committee meetings.*

15 Rev. 05/03

16 Section 5. *Proxies*

17 A. *The term proxy or proxy votes shall include those instances when an active member*
18 *organization, whose representatives are unable to attend a meeting where action*
19 *may be taken, has delegated authority to an individual who is not a member of that*
20 *organization to act or speak on its behalf. Proxies shall only be accepted in writing,*
21 *with either a general delegation of authority ("General Proxy") or for specific issues*
22 *or with specific direction ("Limited Proxy"). Unless otherwise provided herein, all*
23 *proxies must be submitted to the Presiding Officer or Secretary prior to the casting*
24 *of any vote.*

25 Rev. 05/03

1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 *B. For the Conference of Members, proxies on an approved form must be received at*
4 *the PORAC Headquarters, whether by mail, fax or hand delivery, by 1700 hours on*
5 *the Friday prior to the Conference of Members; otherwise, all proxies must be*
6 *submitted whether by fax or hand delivered, to the Credentials Committee by 12:00*
7 *noon of the first day of the Conference of Members to be valid.*

8 Rev. 05/03

9 *C. Active member organizations present at the Conference of Members may submit a*
10 *written proxy to the Credentials Committee after 12:00 noon on the first day of the*
11 *Conference of Members if they cannot remain in attendance and perform their duty.*

12 Rev. 05/03

13 *D. All proxies under this section must be on an approved form and include the name of*
14 *the individual delegating the proxy and the name of the Association granting the*
15 *proxy, clear delineation of either a general or limited delegation of authority, the date*
16 *the proxy was issued and the name of the Association President or Association Vice*
17 *President issuing the proxy. Only a PORAC member who is not a member of the*
18 *association issuing the proxy may be authorized to represent that active member*
19 *organization by way of a proxy under these Standing Rules.*

20 Rev. 05/03

21 **Section 6. Forms**

22 *A. The Vice President shall be responsible for form content. For elections conducted by*
23 *the Vice President, the following forms shall be valid only if they contain all of the*
24 *information so indicated.*

25 Rev. 05/03

1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 *B. Region Nomination Form. Shall include the title of the office for which nominees are*
4 *being sought, any prerequisites to hold the office, date and time by which nominations*
5 *must be received, name and address where nominations are to be sent,*
6 *date/time/location where election will be held, statement that nominating and*
7 *balloting may be done in person, space for printed and signed names of the two (2)*
8 *eligible members making the nomination and their associations, date nomination form*
9 *completed, and the date/name of the person who drafted the nomination form and*
10 *content.*

11 Rev. 05/03

12 *C. Region Ballot for Election. Names of all nominees, and space for Write-in (unless no*
13 *others are eligible), title of office to be filled, expiration of the term of office, deadline*
14 *date/time by which ballots must be received, name/address where ballots are to be*
15 *sent, date/time/location where election will be held, statements that ballots may be*
16 *cast in person, date ballot was signed, printed and signed name of eligible member*
17 *casting the ballot and his/her association (all printed information must be legible).*

18 Rev. 05/03

19 *D. Ballot for Recall/Disciplinary Action. Name of the officer, Director, Trustee or*
20 *committee member subject to recall/discipline, title of position held, deadline by which*
21 *ballots must be received, date/time/location where the ballots will be counted, date*
22 *ballot was signed, printed and signed name of eligible member casting the ballot and*
23 *his/her association (all printed information must be legible). The accused and the*
24 *Region Directors may have a position statement not to exceed two (2) pages*
25 *included with each ballot.*

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S.R. Article X (Cont'd.)

VOTING

The ballot should limit voting options to one of: written reprimand, removed from position, no action required.

Rev. 05/03

E. Proxy Form. Name (printed) of eligible member assigning association is giving proxy to vote on their behalf, that the proxy is either (1) for all matters that arise for which the association is eligible to vote (General Proxy), or (2) the proxy is limited to a specific issue or election(Limited Proxy), printed and signed name of member authorizing the proxy and their association, date proxy was signed, date proxy expires, and the date/name of the person who drafted the proxy form and content.

Rev. 05/03

F. Designation Form. Name of the active member organization, name of the designee who is a member of that organization, the date of the meeting for which the designation applies, the date the designation is issued, the signature of the association officer issuing the designation and a list of alternates, if any, in descending order of designation.

Rev. 05/03

Section 7. *The Nevada Director may vote only as provided in Bylaw Article X.*

Section 8. *Nevada associations shall vote for members of the Legal Defense Fund or Retiree Medical Trust or Insurance and Benefits Trust/Committee based on participation in any of the above programs.*

Rev. 11/92 Rev. 11/95 Rev.11/08

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Section 9. *At the Conference of Members, the Secretary shall conduct the Roll Call for votes by Region, Chapter, or Association pursuant to submitted designations and proxies.*

1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 *After all the votes have been called, but before the tally of ballots has been tabulated by*
4 *the Credentials Committee, the Secretary shall inquire of the Conference of Members*
5 *three (3) times whether any active member organization has failed to cast its ballot.*
6 *At the conclusion of the third inquiry, the votes shall be tabulated.*

7 Rev. 05/03

8 Section 10. *At the Conference of Members, the Credentials Committee shall prepare a formal tally*
9 *of ballots for each election which it shall certify to the Secretary. At the conclusion of the*
10 *Conference, the Credentials Committee shall secure and seal all documents and*
11 *records pertaining to its duties and remit the same to PORAC Corporate Counsel.*

12 Rev. 05/03

13 Section 11. *Election Protests*

14 *A. All pre-election protests involving any matter pertaining to the election of the*
15 *President, Vice President or Treasurer of PORAC including, but not limited to the*
16 *nomination process, election campaigns, credentialing, designations and/or proxies,*
17 *shall be lodged in writing by the complaining party to the Credentials Committee prior*
18 *to the call for the election by the Secretary. The Credentials Committee shall*
19 *immediately report the complaint to the Secretary. Following a reasonable*
20 *investigation of the complaint, the Secretary shall provide the Conference of Members*
21 *a summary of the matter and rule on the complaint, applying the PORAC Bylaws,*
22 *Standing Rules and/or Robert's Rules of Order as appropriate. The decision of the*
23 *Secretary may be appealed to the Conference of Members.*

24 Rev. 05/03

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1 **S.R. Article X (Cont'd.)**

2 **VOTING**

3 *B. All post-election protests involving any matter pertaining to the election of the*
4 *President, Vice President or Treasurer of PORAC including, but not limited to the*
5 *voting process and/or tally of ballots, shall be lodged in writing by the complaining*
6 *party to the Credentials Committee by the end of the election day at the Conference*
7 *of Members. The Credentials Committee shall immediately report the complaint to*
8 *the Secretary. Following a reasonable investigation of the complaint, the Secretary*
9 *shall provide the Conference of Members a summary of the matter and rule on the*
10 *complaint, applying the PORAC Bylaws, Standing Rules and/or Robert's Rules of*
11 *Order as appropriate. The decision by the Secretary may be appealed to the*
12 *Conference of Members.*

13 Rev. 05/03

14 *C. The PORAC Board of Directors retains the right to address any election protest or any*
15 *other type of challenge pertaining to the election of the President, Vice President or*
16 *Treasurer of PORAC or Regional elections, which was not known at the time of the*
17 *election or could not have been filed in a timely manner. The Board of Directors*
18 *retains the right to remedy such protests or challenges in the best interest of the*
19 *organization.*

20 Rev. 11/92 Rev. 11/95 Rev. 05/03

1 **S.R. Article XI**

2 **STANDING COMMITTEES**

3 Section 1. *No member of the Board of Directors shall serve on the Legal Defense Fund or Insurance*
4 *and Benefits Trust/Committee, or Retiree Medical Trust except as the appointed member*
5 *from the Board of Directors. Any Legal Defense Fund or Insurance and Benefits*
6 *Trust/Committee or Retiree Medical Trust member elevated to the position of Director*
7 *may serve the remainder of his/her term on that Legal Defense Fund or Insurance and*
8 *Benefits Trust/Committee or the Retiree Medical Trust.*

9 Rev. 02/05

10 Section 2. *Each Director shall by the first day of the Conference of Members submit a list of*
11 *candidates to the President to be considered for appointment to committees. Within thirty*
12 *(30) days of any Region's position on a Standing Committee being vacated, each of the*
13 *Region's Directors shall submit a list of candidates to the President to be considered in*
14 *filling the position.*

15 Rev. 02/05

16 Section 3. *All receipts and disbursements of insurance funds if administered by the Treasurer of*
17 *PORAC shall be maintained in a separate account. No check or payment shall be made*
18 *from this account without the signature of the Insurance and Benefits Trust/Committee*
19 *Chair or their designee.*

20 Rev. 02/05

21 Section 4. *The Credentials Committees' duties, encompass all elections during the Conference of*
22 *Members, and may be called upon by the Vice President to assist in other elections.*

23 Rev. 02/05

24 Section 5. *Standing Committee Chairs should provide quarterly reports to the President.*

25 Rev. 02/05

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S.R. Article XI (Cont'd.)

STANDING COMMITTEES

Section 6. *The Fiscal Management Committee shall periodically review the compensation records of the Officers, Directors or Trustees in which PORAC reimburses the employing agency. This is to insure that the records of PORAC and the employing agency are in corroboration. These time records shall be maintained at PORAC Headquarters and shall be provided quarterly by the respective Officer, Director or Trustee. Upon request from any members of the Board of Directors, these records shall be produced for examination and/or review.*

Rev. 11/05

1 **S.R. Article XII**

2 **DISCIPLINE OF OFFICERS**

3 Section 1. *In conducting any hearing scheduled pursuant to Article XII, Section 1(C) of the Bylaws,*
4 *the Board of Directors may open the proceedings to members of PORAC in good*
5 *standing. The Board of Directors may call for the hearing to be held in Executive*
6 *Session, with the attendant obligations upon the Directors and members in attendance.*
7 *The Board of Directors shall not be bound to follow strict rules of evidence at any stage*
8 *of the proceeding. Rather, the Chair may make any appropriate ruling and the Board of*
9 *Directors may take any appropriate action to:*

- 10 (a) obtain relevant evidence
11 (b) exclude irrelevant evidence
12 (c) provide for reasonable due process, and
13 (d) protect the interests of PORAC and its members.

14 Rev. 02/05

15 Section 2. *The final decision of the Board of Directors regarding any disciplinary matter under*
16 *Article XII, Section 1 (E) of the Bylaws, shall include a statement of the case, a summary*
17 *of the evidence and the positions of the parties, specific findings of facts and conclusions,*
18 *as well as the reasons or basis therefore, upon all material issues raised at the hearing.*
19 *If the accused is found guilty of some or all of the preferred charges, the decision of the*
20 *Board of Directors shall also include the remedy deemed appropriate and ordered by the*
21 *Board, plus the final disposition of the case, if any. Such decisions of the Board of*
22 *Directors may be made available for review at PORAC Headquarters (or other*
23 *appropriate locations) by members of PORAC in good standing who agree to be bound*
24 *to maintain the appropriate confidentiality of the decision.*

25 Rev. 02/05

1 **S.R. Article XIII**

2 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

3 Section 1. *Dues-Failure to Pay. Any member association of PORAC which fails to pay all of their*
4 *dues within fifteen (15) days after their due date, shall be placed on the delinquency list*
5 *at PORAC Headquarters. Should the dues not be received within thirty (30) days of said*
6 *notice, their Chapter Director and local association will be notified by PORAC*
7 *Headquarters. If at the end of three (3) months an association is still in arrears, it shall be*
8 *suspended from and forfeit all privileges of membership in PORAC, except that the*
9 *Executive Committee by a two-thirds (2/3) vote or the Board of Directors by a majority*
10 *vote, may for good cause extend the three (3) month grace time and/or all membership*
11 *privileges for a period they deem appropriate. Associations which seek an extended*
12 *grace period must sign a written agreement to repay all PORAC dues for the grace*
13 *period before any grace extension goes into effect. The Board of Directors shall review*
14 *all extended grace periods in effect at the time of any Board of Directors meeting.*

15
16 Section 2. *Dues-Reinstatement after Suspension. A suspended member and/or member*
17 *association may be reinstated upon payment of all arrearage under such terms and*
18 *conditions as may be determined by the Board of Directors.*
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1 **S.R. Article XIV**

2 **ADMINISTRATION**

3 Section 1. *Reserve Fund. PORAC shall strive to maintain funds equal to at least three (3) months*
4 *General Fund dues in the reserve fund to be used when necessary in compliance with*
5 *these Bylaws.*

6 *A. In the event of a cash flow emergency, the Board of Directors or Executive Committee*
7 *can approve the expenditure of funds not greater than one (1) month's General Fund*
8 *dues, from the reserve funds. In the event of a natural disaster, the Board of Directors*
9 *or Executive Committee may approve a donation from the Reserve Fund to a Relief*
10 *Fund.*

11 *B. Only the Board of Directors can approve any additional expenditure during a fiscal*
12 *year.*

13 *C. An Emergency (for purposes of Subsection A., above) shall be determined by the*
14 *Board of Directors or Executive Committee upon the recommendation of the PORAC*
15 *Treasurer or PORAC President in the Treasurer's absence. Every effort shall be*
16 *made to replace the amount expended from the reserves as soon as financially*
17 *possible.*

18 *D. Any unencumbered reserves at the end of the fiscal year may be placed into the*
19 *PORAC General Fund upon the approval of the Board of Directors or Executive*
20 *Committee.*

21 *E. Any loan against the reserve funds shall be viewed as an expenditure.*

S.R. Article XV

RULES OF ORDER

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1 **S.R. Article XVI**

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BYLAW AMENDMENTS

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APPENDIX

S.R. Article VIII, Section 3G

EXPENDITURE GUIDELINES

	Local Assn	Assn w/i Chapter	Assn o/s Chapter	Local Chapter	Outside Chapter w/I Region	Chapter Outside Region	Local Region	Outside Region	B.O.D.
Director	NO	YES (2)	YES (3)	YES (3)	YES (4)	YES (5)	YES (3)	YES (4)	YES (6)
Employee	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
E Comm Director	NO	YES	YES (2)	YES (3)	YES	YES (3)	YES	YES (3)	YES (6)

- (1) Reimbursed for all actual PORAC business expenses, as limited to those budgeted for, subject to review of the General Manager.
- (2) Reimbursed only when authorized by the Chapter and then only when not possible for Chapter to pay.
- (3) Reimbursed as authorized by the President or Vice President.
- (4) Reimbursed, but, if possible, by own Chapter.
- (5) Reimbursed as authorized and paid for by own Chapter.
- (6) Reimbursed upon timely submission of appropriate voucher to PORAC Headquarters.