



Bylaws

January 2021

PORAC BYLAWS

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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.
24
25

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 A. PORAC respects the integrity of law enforcement associations and the right of
6 such entities to maintain and protect their established bargaining relationships with
7 the public agency employing their members. Any organization or individual who
8 seeks to decertify a lawfully recognized law enforcement association serving as the
9 bargaining representative of peace officers shall not be permitted affiliation with
10 PORAC.

11 B. PORAC respects the established affiliation of law enforcement associations with
12 other labor or fraternal organizations. Any law enforcement association or
13 individual who breaks its affiliation with another labor or fraternal organization may
14 only apply for membership with PORAC after twenty-four (24) months, except as
15 otherwise provided by the PORAC Board of Directors.

16 C. All applications for membership in PORAC shall include the proposed effective
17 date as well as a current and complete membership roster which contains the
18 following information regarding each member:

- 19 1. First and Last Name
- 20 2. Date of Birth
- 21 3. Home Address
- 22 4. Member Type (Sworn, Non-Sworn, or Retired)

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

2 **MEMBERSHIP**

3 Section 2. There shall be seven (7) classes of membership in PORAC including Active, Retired,
4 Honorary, Associate, Reserve, Limited and Out of State Members.

5 Rev. 11/20

6 Section 3. **ACTIVE MEMBERSHIP** shall consist of:

7 A. Employee organizations recognized as an exclusive bargaining representative of a
8 public agency whose membership consists of Peace Officers as defined in Section
9 830 et seq. and Public Officers as defined in Section 831 et seq. of the California
10 Penal Code.

11 1. Employee organizations whose sworn members constitute a majority of the
12 bargaining unit may apply for active membership in PORAC on behalf of both the
13 sworn and non-sworn members.

14 2. Employee organizations whose sworn members do not constitute a majority of
15 the bargaining unit may only apply for active membership in PORAC on behalf of
16 all their sworn members. The non-sworn members of such an employee
17 organization may only be granted Limited Membership if approved by the PORAC
18 Board of Directors.

19 Rev. 11/04; Rev. 11/20

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

25 Rev. 11/04

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

2 **MEMBERSHIP**

3 C. Retired peace officers who retain active membership and pay such dues through
4 their local association.

5 D. Active membership includes at-large associations.

6 Rev. 11/04

7 Section 4. **RETIRED ASSOCIATE MEMBERSHIP:** Any retiree from past or current affiliates of
8 PORAC, or any retired public safety officer with appropriate supporting documentation
9 may be a Retired Associate Member (RAM).

10 Rev.11/08; Rev.11/09

11 Section 5. **JOE ACETO HONORARY LIFE MEMBERSHIP:** The Joe Aceto Honorary Life
12 Membership may be conferred upon any person rendering extraordinary service to the
13 goals and objectives of PORAC. (S.R.)

14 Rev. 11/99

15 Section 6. **RESERVE MEMBERSHIP:** Reserve membership shall consist of associations made up
16 of reserve peace officers. (S.R.)

17
18 Section 7. **STANDARD ASSOCIATE MEMBERSHIP:** Standard Associate Membership (SAM) shall
19 be those individuals approved as provided by these Bylaws. (S.R.)
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1 **ARTICLE II (Cont'd.)**

2 **MEMBERSHIP**

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

- 4 A. Public safety organizations not eligible for other membership.
- 5 B. The Executive Committee or Board of Directors may give approval to grant limited
- 6 membership to any newly applying association otherwise eligible for full PORAC
- 7 membership for a period up to but not to exceed twelve (12) months.

8 Rev. 11/02; Rev. 11/10; Rev. 11/15

- 9 C. Applications from management, Public Officers, and reserve associations, not
- 10 accepted for active membership shall be allowed to apply for limited membership.

11 Rev. 11/04; Rev. 11/05

12 Section 9. **OUT OF STATE MEMBERSHIP** shall only be available to out of state public safety

13 organizations.

14

15 Section 10. Membership shall be approved or denied by the Board of Directors or the Executive

16 Committee. (S.R.)

17 Rev. 11/99

18 Section 11. Limited members have no rights in PORAC except (a) to participate in the Legal Defense

19 Fund (LDF), Retiree Medical Trust (RMT), and Insurance and Benefits Trust (I&B)

20 programs for which they qualify, and (b) to attend PORAC sponsored trainings and events

21 on par with other affiliated associations.

22 Rev. 11/02; Rev. 11/10

23 Section 12. Only employee organizations recognized as the exclusive bargaining representative by

24 the public agency employing law enforcement offices may seek or maintain Active,

25 Limited or Reserve Association Membership in PORAC, except as otherwise provided by

the PORAC Board of Directors.

1 **ARTICLE III**

2 **DUES**

3 Section 1. Active membership organizations shall pay dues at the rate of seven dollars (\$7.00) per
4 capita per month. Active membership organizations shall pay dues at the rate of nine
5 dollars (\$9.00) per capita per month beginning the 1st quarter of 2018. This additional
6 two-dollar (\$2.00) assessment shall be specifically allocated to protect and defend
7 member's pension benefits impacted by any California pension reform initiatives. This
8 assessment may be paid in a lump sum and from any source the active organization
9 deems appropriate. This assessment may sunset by a majority vote of members in
10 attendance at any Conference of Members beginning in 2019. Non-active dues paying
11 members, as listed below, shall pay dues in the manner prescribed in the Bylaws and
12 Standing Rules.

13 Rev. 11/00; Rev. 11/05; Rev. 11/07; Rev. 11/13; Rev. 11/14; Rev. 11/15; Rev. 11/17

14 Section 2. Reserve peace officer associations shall pay dues at the rate of forty-eight dollars
15 (\$48.00) per capita annually.

16 Rev. 11/04; Rev. 11/14; Rev. 11/19

17 Section 3. Retired Associate Members (RAM) shall pay dues at the rate of thirty dollars (\$30.00) per
18 capita annually, effective January 1, 2015.

19 A. Retired Associate Members (RAM) who opt to withdraw from RAM, and subsequently
20 seek to regain RAM membership, shall pay, in addition to their new dues, the amount
21 of any delinquent dues owed at the time of their withdraw.
22
23
24
25

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

2 **DUES**

3 B. The Retired Associate Members (RAM) dues shall be waived if the member's
4 association from which they retire keeps their status active. However, such RAM
5 dues paying members shall not count for purposes of determining voting strength
6 under Article X, Section 2 (C) of these Bylaws

7 Rev. 11/08; Rev.11/09; Rev.11/12; Rev. 11/14

8 Section 4. Standard Associate Members (SAM) shall pay dues equivalent to the rate of dues set for
9 Retired Associate Members.

10 Rev. 11/08; Rev.11/12; Rev. 11/13

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

12 Rev. 11/04

13 Section 6. Limited membership organizations shall pay dues of \$2.00 dollars per capita per month.
14 Effective January 1, 2020, the monthly per capita dues shall increase to \$2.25. Effective
15 January 1, 2021, the month per capita dues shall increase to \$2.50. Effective January 1,
16 2022, the monthly per capita dues shall increase to \$2.75. Effective January 1, 2023, the
17 monthly per capita dues shall be forty percent (40%) of Active member dues, rounded up
18 to the nearest quarter dollar. Limited member associations who opt to withdraw from
19 PORAC, and subsequently seek to regain limited membership status, shall, over the
20 same number of months they were without PORAC limited membership, pay, in addition
21 to their new dues, the amount of dues that would have otherwise been paid if they had
22 maintained continuous limited membership. However, the above dues payback shall be
23 waived if the former limited members attain active member status.

24 Rev. 11/08; Rev. 11/19

25

ARTICLE III (Cont'd.)

DUES

Section 7. Out of State Limited Membership organizations shall pay dues or fees as set by the Board of Directors or Executive Committee.

Section 8. As applied in these Bylaws, the term "per capita" shall mean all members of an affiliated Active or Limited membership organization.

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 are not members of a local Chapter but are members of the
16 Statewide Chapter. They may attend any local Chapter meeting but may only
17 exercise their rights within the Statewide Chapter. (S.R.)

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

20 Rev. 11/06; Rev. 11/17; Rev. 11/19

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

24 Rev. 11/17

REGIONS MAP

PORAC's 15 Chapters

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Non-Regional Chapter: Statewide Chapter

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. Chapters shall establish Bylaws and elect officers to administer their affairs.
19 A. The Bylaws and actions of the Chapters shall not be in conflict with the Bylaws or
20 principles of PORAC. The Bylaws of the Chapters, and any amendments thereto, shall
21 be submitted to and become effective upon approval of the PORAC Board of Directors.

22 Rev.11/08; Rev. 11/13

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

2 **POWERS**

3 B. Chapters shall adopt Standing Rules and policies which are consistent with its
4 fiduciary duty to oversee the financial affairs of the corporation, which comply with federal
5 and state laws, and which shall not be in conflict with the Standing Rules or principles of
6 PORAC.

7 Rev.11/11

8 C. No one at the Chapter level shall have the authority to represent himself/herself as an
9 agent of PORAC without specific approval of the PORAC Board of Directors as provided
10 in the Bylaws or Standing Rules.

11 Rev. 11/09

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

16 Rev. 11/93

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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) Director from each at-large association (who shall be a member of that at-large
7 association), one (1) elected Director from each Chapter (elected by non-at-large
8 associations within the Chapter) and, for a one (1) year term, the immediate Past
9 President. Unless denied by the Board of Directors, the immediate Past President may
10 complete their term even if no longer an active member.

11 Rev. 11/10; Rev. 11/11

12 Section 3. The Executive Committee shall be comprised of the President, Vice President,
13 Treasurer, eight (8) Regional Directors and a representative of the Retired Associate
14 Members (RAM) Committee. (S.R.)

15 A. The Regional Directors of the Executive Committee shall consist of two (2) Directors
16 from each Region, provided that no more than one (1) Director shall be elected from
17 any Chapter in that Region. These Directors shall be elected by the active member
18 associations from each affected Region in accordance with the procedures set forth
19 in Article IX, et seq. of these Bylaws.

20 B. The RAM representative attending Executive Committee meetings shall be the
21 Chairman unless the President approves another RAM Committee member to attend
22 in their absence.

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

25 Rev: 11/20

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 two (2) days' notice shall be given of the time, place, and tentative agenda of
13 the meeting unless otherwise waived.

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 Rev. 11/11

20 Section 3. The Executive Committee shall meet when convened by a majority of its members or the
21 President. (S.R.) The manner of notice of meeting, establishment of quorum, and action
22 taken during a loss of quorum, shall be the same as provided for the Board of Directors.
23
24
25

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.

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 Section 8. The Statewide Officers of PORAC shall be considered ex-officio members of the Board of
22 each PORAC Chapter and may attend and participate in any Chapter meeting. However,
23 such Officers shall not count toward establishing a quorum or have any voting authority in
24 such Chapter meetings except as expressly permitted by that Chapter's Bylaws.

25 Rev. 11/09

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. All individuals
5 holding any office or directorship with PORAC, whether elected or appointed, shall
6 perform their duties in good faith, in the best interests of the corporation, and with such
7 care, including reasonable inquiry, as an ordinarily prudent person in a like position
8 would under similar circumstances.

9 Rev. 11/13

10 Section 2. The President and Vice President shall be nominated and elected for two (2) year terms
11 by a majority of the votes cast at the Conference of Members. In the event of a tie or
12 plurality vote, the two (2) candidates receiving the largest number of votes in the first
13 election shall be included in an immediate run-off election.

14 A. Nominations shall be made at the August meeting of the Board of Directors preceding
15 the Conference of Members when the votes shall be cast. Alternatively, a nomination
16 may be submitted in writing, provided the nomination is received by PORAC prior to
17 the commencement of the August Board of Directors Meeting.

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

20 C. In odd numbered years, the President and Vice President shall be nominated and
21 elected for a two (2) year term by a majority of the votes cast at the Conference of
22 Members.

23 Rev. 11/13; Rev. 11/17

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

2 **ELECTIONS/APPOINTMENTS**

3 Section 3. In even numbered years, the Treasurer shall be nominated and elected for a two (2) year
4 term by a majority of the votes cast at the Conference of Members. In the event of a tie
5 or plurality vote, the two (2) candidates receiving the largest number of votes in the first
6 election shall be included in an immediate run-off election.

7 A. Nominations shall be made at the August meeting of the Board of Directors preceding
8 the Conference of Members when the votes shall be cast. Alternatively, a nomination
9 may be submitted in writing, provided the nomination is received by PORAC prior to
10 the commencement of the August Board of Directors Meeting.

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

13 C. In 2017, the Treasurer shall be nominated and elected for a one (1) year term by a
14 majority of the votes cast at the Conference of Members. Commencing in 2018, the
15 Treasurer shall be nominated and elected for a two (2) year term by a majority of the
16 votes cast at the Conference of Members.

17 Rev. 11/17

18 Section 4. If the office of the President, Vice President, or Treasurer is declared vacant at the
19 Conference of Members, an election shall be immediately conducted to fill that vacancy.
20 The successful candidate shall only complete the term of the vacant office being filled.

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22 Section 5. The term of office of the President, Vice President, and Treasurer shall commence on
23 January 1st following the election at the Conference of Members.
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1 **ARTICLE IX (Cont'd)**

2 **ELECTIONS/APPOINTMENTS**

3 Section 6. The President shall appoint a Secretary from one (1) of the Region Directors currently
4 on the Executive Committee, subject to approval of the Board of Directors.

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6 Section 7. The President may appoint a Parliamentarian, Sergeant-at-Arms, Historian and Chaplain
7 subject to the approval of the Board of Directors.

8 Rev. 11/16

9 Section 8. Directors shall be elected or designated as follows:

10 A. Chapter Directors shall be elected from the Chapter for two (2) year terms, in the
11 manner prescribed by these Bylaws and Standing Rules, by active member non-at-
12 large associations.

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

14 Rev. 11/19

15 Section 9. Regional members of the Executive Committee, the LDF Trust, RMT Trust and I&B Trust
16 shall be elected for terms of two (2) years by a majority of the votes cast by eligible active
17 members. Only members of the Board of Directors who have been sworn into office are
18 eligible for nomination and election to the PORAC Executive Committee.

19 Rev. 11/18

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

2 **ELECTIONS/APPOINTMENTS**

3 A. The Vice President shall, during the month of July each year, send to eligible member
4 organizations a notice announcing each Region's nominations meeting, which shall
5 be held prior to September 1st of that same year. This notice shall contain the time
6 and place of the meeting and a statement advising that nominations, accompanied by
7 nominee's acceptance of nomination, may be made from the floor at the meeting or
8 by a letter of nomination listing the candidate, the nominator and the seconder.
9 Nominations shall be deemed closed upon the conclusion of the Region nomination
10 meeting.

11 Rev. 11/14: Rev. 11/15; Rev. 11/19

12 B. The Vice President shall, no later than September 15th of each year, send to eligible
13 members an election ballot. The ballot shall be counted, and an election declared
14 during the October Executive Committee meeting.

15 Rev. 11/15

16 (1) The election ballot shall contain:

17 Rev. 11/15

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

19 (b) the candidates' names and the number of votes allowed, as certified by the
20 Vice President, based on dues paid up to June 30th of that year; and

21 Rev. 11/15

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

24 Rev. 11/15

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

2 **ELECTIONS/APPOINTMENTS**

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

8 Rev. 11/06

9 Section 10. Elections of Chapter Directors and members of the LDF Trust, I&B Trust, and RMT Trust
10 shall be held in alternate years with odd-numbered Chapters and Regions electing in odd
11 years, and even-numbered Chapters and Regions electing in even years. (S.R.)

12 Rev. 11/07; Rev. 11/09; Rev. 11/15

13 Section 11. One (1) Executive Committee member and one (1) I&B Trust member shall be elected in
14 each Region, each year, for a two (2) year term. There will be a total of eight (8) elected
15 Executive Committee members and Trustees, two (2) elected from each Region, provided
16 that no more than one (1) Executive Committee member and Trustee member shall be
17 elected from each Chapter.

18 Rev. 11/07; Rev. 11/14

19 Section 12. Chapter Directors, Executive Committee members, Standing Committee and Trust
20 members, shall take office at the close of the Conference of Members.

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

2 **ELECTIONS/APPOINTMENTS**

3 Section 13. Vacancies in any office excluding Chapter Director and State President shall be filled
4 within sixty (60) days following receipt of resignation, removal from office, or date office
5 is otherwise vacated, whichever occurs first.

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

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

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

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

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

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

25 Rev. 11/15

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

2 **ELECTIONS/APPOINTMENTS**

3 C. During the vacancy of a Chapter Director's office, the Chapter President shall
4 temporarily act as and have the authority of the Chapter Director and shall
5 automatically relinquish same upon a successor assuming office. Should a Chapter
6 Director be unable to attend a meeting of the Board of Directors, the Chapter
7 President may attend in the Chapter Director's place, with the approval of the PORAC
8 President, and shall be authorized to discharge their same authority on behalf of that
9 Chapter.

10 Rev. 11/15

11 D. The Executive Committee shall appoint an interim President in the event the
12 President's office is vacated and the Vice President is unable to
13 accede to the higher office. This appointment shall terminate at the next Conference
14 of Members.

15 Rev. 11/17

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

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22 Section 15. In the event the Vice President's office is to be filled, the President shall appoint a
23 member of the Executive Committee to assume the election responsibilities of the Vice
24 President.

25 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 Rev. 11/04; Rev.11/09; Rev. 11/17

5 Section 2. At the Conference of Members, active member organizations shall be entitled to cast one
6 (1) vote for each of their eligible members. (S.R.) The Retired Associate Members
7 (RAM) Committee shall be entitled to cast no more than one (1) vote for every four (4)
8 eligible members. RAM members who remain an active member of the association from
9 which they retired, shall not count for purposes of determining RAM's voting strength at
10 the Conference of Members.

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 as provided by these Bylaws. (S.R.)

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

17 Rev. 11/09; Rev. 11/20

18 Section 3. At Board of Directors' meetings, Chapter Directors shall be entitled to cast one (1) vote
19 per each five hundred (500) individual Chapter members, excluding those members
20 represented by any PORAC At-Large Association. Directors of At-Large Associations
21 and RAM may cast no more than five (5) votes regardless of membership size.

22 A. The PORAC President, Vice President, Treasurer, and the immediate Past President
23 may cast only one (1) vote.

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

2 **VOTING**

3 B. The Presiding Officer may only cast one (1) vote to make or break a tie.

4 C. All votes cast by each voting member shall be recorded.

5 Rev. 11/02; Rev. 11/14; Rev. 11/20

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

9 Rev. 11/02

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

12 A. Associations shall have one (1) original vote as a member and one (1) additional vote
13 for each of its one hundred (100) individual members for whom PORAC dues are
14 paid.

15 B. Statewide associations at the Statewide Chapter meetings shall have one (1) original
16 vote as a member and one (1) additional vote for each of its 100 individual members
17 for whom PORAC Active member dues are paid with a total maximum voting strength
18 of no more than eleven (11) votes.

19 Rev. 11/17; Rev. 11/19; Rev. 11/20

20 Section 6. Directors may, in lieu of attending meetings of the Board of Directors or Executive
21 Committee, issue a proxy to another Director or Officer to vote on their behalf. The form
22 of a proxy shall be established by Standing Rules. (S.R.)

23 Rev. 11/09; Rev. 11/13

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

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ARTICLE X (Cont'd.)

VOTING

Section 8. Independent and autonomous rules for voting on purely local internal Chapter issues may be established by Chapter Bylaws.

Rev. 11/92; Rev. 11/11

1 **ARTICLE XI**

2 **TRUSTS AND 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
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 C. Federal officer organizations within California may participate in PORAC Legal
18 Defense (LDF) programs without becoming members of PORAC, provided they meet
19 the participation requirements of, and are approved by the PORAC Legal Defense
20 Fund Board of Trustees.

21 Rev. 11/17; Rev. 11/18

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 2. The Insurance and Benefits Trust (I&B Trust) shall govern and direct the administration
4 of all PORAC insurance programs.

5 A. The Trust shall consist of eleven (11) Trustees, who are participants in PORAC
6 sponsored insurance programs, who shall choose a chairperson.

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

10 (2) The President shall appoint a Director to serve as a Trustee of the I&B Trust for a
11 one (1) year term, subject to approval of the Board of Directors.

12 (3) The President shall appoint a retired PORAC member to serve as a Trustee for
13 the I&B Trust for a one (1) year term, subject to approval of the Board of
14 Directors.

15 Rev. 11/95; Rev. 11/06; Rev. 11/07; Rev. 11/14

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

18 Rev. 11/07

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

21 C. Law enforcement/peace officer organizations from outside California
22 may participate in PORAC I&B Trust programs without becoming members of
23 PORAC, provided they meet the participation requirements of, and are approved by
24 the PORAC I&B Trust.

25 Rev. 11/06; Rev. 11/17

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 3. The Trustees of the Retiree Medical Trust (RMT) shall govern and direct the
4 administration of the PORAC RMT.

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

7 1. Each Region, shall, by vote of the eligible active members' organizations
8 participating in the RMT, elect one (1) Trustee to
9 the Trust for a term of two (2) years. Each association shall have one (1)
10 vote for each of its members in the RMT.

11 2. The President shall appoint a Director to serve as a Board Trustee on the
12 RMT for a term of one (1) year, subject to the approval of
13 the Board of Directors.

14 3. Until a Region has affiliates participating in the Trust, the President shall
15 appoint a Director or member to serve as a Regional Trustee on the RMT for a
16 term of one (1) year, subject to the approval of the Board of Directors.

17 4. The President may appoint a retired PORAC member to serve as a Trustee for
18 the RMT for a one (1) year term, subject to
19 approval of the Board of Directors.

20 Rev. 11/07; Rev. 11/10; Rev. 11/14

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

2 **TRUSTS AND STANDING COMMITTEES**

3 B. Law enforcement/peace officer organizations from outside California
4 may participate in RMT programs without becoming members of PORAC, provided
5 they meet the participation requirements of, and are approved by the RMT Board of
6 Trustees.

7 Rev. 11/11; Rev. 11/07; Rev. 11/10; Rev. 11/17

8 Section 4. The President may appoint a Committee on Peace Officer Relations (COPOR). When
9 and if appointed, this Committee shall be responsible for implementing goals and
10 maintaining standards relating to cultural awareness and other duties as directed.

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

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

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

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

19 Rev.11/12

20 Section 5. The President may appoint the Labor/Training Committee. When and if appointed, they
21 shall be responsible for coordinating and developing all PORAC sponsored training and
22 for responding to requests regarding labor issues.

23 Rev. 11/04

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

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

2 **TRUSTS AND STANDING COMMITTEES**

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

5 (2) The President shall appoint a member from each Region for a two (2) year term,
6 subject to the approval of the Board of Directors.

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

9 Rev. 11/99; Rev. 11/09

10 Section 6. The Fiscal Management Committee shall review the books, vouchers and records to
11 assure compliance with the fiscal policies of these Bylaws and to make recommendations
12 to the Board of Directors. The Chair of the Fiscal Management Committee will submit an
13 Annual Report to summarize these activities at the Conference of Members. The Fiscal
14 Management Committee shall consist of five (5) members. Four (4) of the members shall
15 be directors, one (1) from each Region, who is not a member of the Executive
16 Committee. The Treasurer will be the fifth member of the Committee and the
17 chairperson.

18 Rev. 11/03; Rev. 11/07

19 Section 7. The Budget Committee shall review and finalize the annual budget before it is submitted
20 to the Board of Directors and Conference of Members, as well as review the
21 reasonableness of the compensation for all employees and contractors. The Budget
22 Committee shall consist of four (4) members of the Executive Committee, one (1) from
23 each Region, appointed by the President. The Treasurer shall be the fifth member and
24 shall chair the Committee.

25 Rev. 11/07; Rev. 11/17

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

2 **TRUSTS AND 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, appointed by the President.

11 Rev. 11/06; Rev.11/12

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

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 11. The Recruitment and Retention Committee is responsible for program development to
4 current and prospective member associations, relating to PORAC, its benefits,
5 publications, affiliates, programs, and functions. The Committee shall consist of at least
6 one (1) member from each Trust, as well as a member of the Executive Committee. The
7 PORAC Vice President shall be the Chair of the Committee, and may appoint, subject to
8 approval of the President as ratified by the Board of Directors or Executive Committee,
9 up to three (3) additional committee members if necessary. The Chair may schedule
10 committee meetings as necessary to accomplish the goals of the committee.

11 Rev. 11/14: Rev. 11/15

12 Section 12. The Executive Committee shall serve as the Board of Directors for POREF. (S.R.)

13 Rev. 11/01: Rev. 11/15

14 Section 13. The Executive Committee shall serve as an Appeals Board in any dispute arising from
15 employee actions. (S.R.)
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17 Section 14. The Executive Committee is the Editorial Committee for the PORAC NEWS. (S.R.)

18 Rev. 11/01; Rev.11/09
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1 **ARTICLE XI (Cont'd.)**

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 15. The Specialized Police Association Coalition (SPAC) Committee shall assist the
4 Board of Directors and Executive Committee regarding issues that may affect
5 associations whose members obtain their authority by any section other than 830.1 or
6 830.2 of the Penal Code. The SPAC Committee will consist of one (1) active member
7 from each Region appointed by the President, subject to the approval of the Board of
8 Directors. The President shall appoint one (1) of its members to serve as Chair
9 of the Committee subject to the approval of the Board of Directors. The SPAC
10 Committee Chair or one (1) of the Committee representatives may attend Board of
11 Directors meetings and Executive Committee meetings.

12 Rev. 11/07; Rev. 11/15; Rev. 11/18

13 Section 16. The Retired Associate Members (RAM) Committee shall assist the Board of Directors
14 and Executive Committee regarding issues that may affect the interest and well-being of
15 our retired members. The RAM Committee will consist of one (1) retired associate
16 member from each region appointed by the President, subject to the approval of the
17 Board of Directors. The President shall appoint one (1) of its members to serve as Chair
18 of the Committee subject to the approval of the Board of Directors. The RAM Committee
19 Chair shall attend Board of Directors meetings and Executive Committee meetings as a
20 voting Director.

21 Rev. 11/09; Rev. 11/18; Rev. 11/20

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 17. Memorial Committee: The Memorial Committee is a standing committee responsible for
4 reviewing and implementing PORAC's policies and procedures pertaining to in the line of
5 duty deaths and the California Peace Officers' Memorial. The Committee will consist of
6 four (4) members appointed by the President, one (1) from each Region, subject to the
7 approval of the Board of Directors. The President shall appoint one (1) of its members to
8 serve as the Chair of the Committee subject to the approval of the Board of Directors.

9 Rev. 11/18

10 Section 18. Scholarship Committee: The Scholarship Committee is a standing committee
11 responsible for reviewing applications and awarding annual scholarships in accordance
12 with POREF Bylaws Article VII, Section 6. The Committee will consist of four (4)
13 members appointed by the President, one (1) from each Region, subject to the approval
14 of the PORAC Board of Directors. The President shall appoint one (1) of its members to
15 serve as the Chair of the Committee subject to the approval of the Board of Directors.

16 Rev. 11/16; Rev. 11/18

17 Section 19. Historical Committee: The Historical Committee is a standing committee responsible for
18 maintaining an ongoing record of PORAC activities and historical records including
19 Lifetime Membership, Past Presidents and meeting minutes. The Committee will consist
20 of a designated Historian, who shall serve as the Chair of the Committee, and four (4)
21 members, all of whom are appointed by the President, subject to the approval of the
22 Board of Directors.

23 Rev. 11/18
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1 **ARTICLE XI (Cont'd.)**

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 20. The Communications and Technology Committee: The Communications and
4 Technology Committee shall receive, review and make recommendations related to all
5 aspects of technology and social media platforms. The Committee shall explore and
6 evaluate emerging technologies and the expansion of current technologies that would
7 benefit PORAC and its Chapters, affiliated associations and their members, as well as
8 the PORAC LDF, I&B, RMT and other affiliated entities. The Committee may utilize
9 outside resources with prior approval of the PORAC Executive Committee. The
10 Committee shall consist of five (5) members, one (1) from each Region and a
11 Chairperson, appointed by the President, subject to the approval of the Board of
12 Directors.

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14 Section 21. Each of the Trust Funds and Standing Committees provided for in this Article were
15 created for the benefit of the affiliates of PORAC and their members. Those serving as
16 representatives of any PORAC Trust Fund or Standing Committees have a fiduciary
17 obligation on behalf of their participants and beneficiaries. Each of the PORAC Trust
18 Funds and Standing Committees shall submit an annual report to the PORAC
19 Conference of Members, including appropriate organizational and financial information.
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1 **ARTICLE XII**

2 **INVESTIGATIVE POWERS**

3 Section 1. PORAC requires integrity from all individuals and entities involved with the Association.
4 Any person may be disciplined for any act or offense constituting a violation of PORAC's
5 Articles of Incorporation, Bylaws, Standing Rules, Rules of Order, or which may
6 otherwise be detrimental to PORAC or a conflict of interest. An Ad Hoc Ethics
7 Committee shall be responsible for investigating any issues of alleged impropriety
8 involving officers, directors, trustees, representatives, vendors, professionals and any
9 others providing services to or on behalf of PORAC or its members.

10 Rev. 11/04; Rev. 11/19

11 Section 2. Following such investigation, the Committee shall report any findings and may make
12 recommendations to address those findings to the PORAC Executive Committee or the
13 Board of Directors. The Executive Committee or Board of Directors may take any action
14 deemed appropriate. The Ethics Committee shall consist of four (4) members of the
15 Board of Directors appointed by the President. The Ethics Committee shall appoint one
16 of its members to serve as Chair. Ethics Committee members shall recuse themselves
17 from the Committee with regard to any referred matter presenting a personal conflict of
18 interest. Any appointment to fill such a vacancy on the Ethics Committee shall be made
19 by the President.

20 Rev. 11/19

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

24 Rev. 11/04

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

2 **INVESTIGATIVE POWERS**

3 B. An Investigative Committee shall be formed consisting of one (1) member from each
4 Region, not a member of the Board of Directors, appointed by the Directors of each
5 Region. The Investigative Committee shall promptly inquire as to the specific
6 allegations made against the accused individual(s). The Committee shall then
7 conduct a thorough investigation into these allegations, reporting their findings,
8 including recommendations and any dissenting minority report, to the Board of
9 Directors in Executive Session.

10 Rev. 11/04

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

17 Rev. 11/04

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

23 Rev. 11/04

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

2 **INVESTIGATIVE POWERS**

3 E. If the charges or any portion thereof, are sustained, the Board of Directors shall
4 render judgment and may impose any appropriate disciplinary action, which shall be
5 implemented immediately, excluding removal from office of elected officers which
6 must proceed through the recall procedures set forth in Section 3 below. If the
7 charges are not sustained, the same shall be dismissed. In order to be sustained,
8 the charges must be supported by a preponderance of reliable evidence and a two-
9 thirds (2/3) majority weighted vote of the Board of Directors in order to find the
10 charged party guilty. The Board of Directors may bifurcate its decision on the merits
11 from its decision regarding an appropriate remedy. All written records of the charge,
12 investigation, findings, notice of hearing and record of the proceeding, excluding the
13 final decision of the Board of Directors, shall be sealed, and the entire record shall
14 remain the sole and exclusive property of the PORAC Board of Directors.

15 Rev. 11/04

16 Section 3. Any elected officer, Director, Trustee or Committee member may be removed from office
17 for any act or offense constituting a serious violation of the Bylaws, Standing Rules, Rules
18 of Order or which may otherwise be detrimental to PORAC, or a conflict of interest, upon
19 successful recall ballot.

20 Rev. 11/04; Rev. 11/19

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

2 **INVESTIGATIVE POWERS**

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

6 Rev. 11/04

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

11 (2) Board of Directors shall appoint three (3) Recall Inspectors consisting of at least
12 one member from the Region of the accused, and none being members
13 of the Board of Directors. The Inspectors shall perform the duties necessary to
14 conduct a fair recall and conduct such duties in a manner as set forth in
15 Corporations Code Section 7614(b) and (c), as well as any other duties assigned
16 by the Board of Directors.

17 Rev. 11/04

18 B. The notice of recall meeting shall contain:

19 (1) The time and place of the meeting.

20 (2) A brief statement of the reasons the recall has been initiated.

21 (3) An advisement that if the members in attendance at the meeting vote to remove
22 from office the person accused, the following shall occur:

23 (i) if the President is removed, the Vice President shall fill the vacancy pursuant
24 to Article VIII, Section 2 of these Bylaws;

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

2 **INVESTIGATIVE POWERS**

3 (ii) if the Vice President or the Treasurer is removed, the Board of Directors shall
4 appoint a Director to fill the vacancy until a successor is elected at the next
5 Conference of Members.

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

8 Rev. 11/04

9 D. At least fifteen (15) days prior to the recall meeting, PORAC will mail to all affiliated
10 Associations as of the date of the notice of recall, a signed statement limited to a
11 maximum length of one (1) page (8½ by 11) by the charging party and one (1) by the
12 accused and one (1) of those Directors supporting the recall and one (1) by those
13 Directors opposed to the recall.

14 Rev. 11/04

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1 **ARTICLE XIII**

2 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

3 Section 1. Any association affiliated with PORAC engaging in activities or acts inimical or
4 inconsistent with PORAC's Articles of Incorporation, Bylaws, Standing Rules, Rules of
5 Order or law enforcement in general, may be disciplined, including, but not limited to,
6 having its' membership suspended or revoked. The procedures for disciplining,
7 suspending or revoking membership shall be the same as the disciplinary procedures as
8 provided in Article XII, Section 1. In addition to other appropriate remedial action, by a
9 two-thirds (2/3) majority weighted vote of the Board of Directors, affiliated associations
10 may be disciplined or have its membership suspended or revoked after the Board reviews
11 the Investigative Committee's confidential report and affords the association's
12 representatives to have an opportunity to speak in its defense.

13 Rev. 11/04

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

18
19 Section 3. An individual member of PORAC or any member of an organization affiliated with
20 PORAC under Article II of these Bylaws, may be disciplined for engaging in activities or
21 acts inimical or inconsistent with PORAC's Articles of Incorporation, Bylaws, Standing
22 Rules or law enforcement, in general, as provided in Article XII, Section 1.

23 Rev. 11/04

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

2 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

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

9 Rev. 11/04

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

17 Rev. 11/04

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

20 Rev. 11/04

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1 **ARTICLE XIV**

2 **ADMINISTRATION**

3 Section 1. The PORAC Board of Directors may hire appropriate staff to execute and carry out the
4 policies, programs and directives of the Association.

5 Rev. 11/98; Rev. 11/01; Rev. 11/03; Rev. 11/16

6 Section 2. In accordance with the standards fixed by the Board of Directors, the Chief Operating
7 Officer, shall execute and carry out the policies, programs, and directives of the
8 Association.

9 A. The Chief Operating Officer shall have overall responsibility for personnel matters
10 including employment and termination of employment, as well as the general
11 administration over the staff members employed by PORAC within the parameters
12 established by the Board of Directors.

13 B. Written personnel policies, and any amendments thereto, shall be approved by the
14 President and Vice President subject to the ratification of the Executive Committee.

15 Rev. 11/98; Rev. 11/01; Rev. 11/13; Rev. 11/16

16 Section 3. Notwithstanding the above, the Chief Operating Officer shall be subordinate to the
17 President, Vice President and Treasurer in matters of policy when exercising the
18 authority granted to them in these Bylaws or by the Board of Directors.

19 Rev. 11/98; Rev. 11/01; Rev. 11/13; Rev. 11/16

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.
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ARTICLE XIV (Cont'd.)

ADMINISTRATION

Section 5. Reserve funds maintained in the treasury of PORAC shall be expended only upon approval of the Board of Directors or the Executive Committee. 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 Active or Limited membership in PORAC shall submit a*
13 *membership application and a membership list. Their membership shall begin on the*
14 *first of the month following membership approval by the Executive Committee or the*
15 *Board of Directors. At such time, a check or other form of payment approved by*
16 *PORAC covering the remainder of that quarter's dues is payable.*
17 *B. Associations asserting a bona fide 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.*

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

2 **MEMBERSHIP – POLICY**

3 C. *Associate membership may be approved for the following classes of individuals:*

- 4 1. *Any person qualified per Bylaw Article II, Section 4, their surviving spouse or*
5 *surviving qualified dependent(s) who desires PORAC affiliation may become a*
6 *Standard Associate Member (SAM). Such individuals may become members*
7 *upon submitting the required documents and check or other form of payment*
8 *approved by PORAC, and such membership and eligibility approved in writing by*
9 *the Executive Committee or Board of Directors.*
- 10 2. *Any law enforcement related person qualified per Bylaw Article II, Section 7 who*
11 *desires PORAC affiliation may become a Retired Associate Member (RAM).*
12 *Such individuals may become members upon submitting the required documents*
13 *and check or other form of payment approved by PORAC, and such membership*
14 *and eligibility approved in writing by the PORAC President or Vice President.*
- 15 3. *Any public safety related person qualified per Bylaw Article II, Section 8 who,*
16 *upon retirement, desires to maintain PORAC affiliation may become a Retired*
17 *Limited Member (RLM). Such individuals may become members upon*
18 *submitting the required documents and check or other form of payment approved*
19 *by PORAC, and such membership and eligibility approved in writing by the*
20 *PORAC President or Vice President.*
- 21 4. *Any Retired Associate Member (RAM) or Standard Associate Member (SAM)*
22 *may have their membership revoked by the PORAC President or Vice President*
23 *subject to the ratification by the Executive Committee or Board of Directors.*

24 Rev. 11/04; Rev. 11/07; Rev. 11/13; Rev. 11/20

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

2 **MEMBERSHIP – POLICY**

3 *D. Any Active, Limited or Reserve association which withdraws from PORAC*
4 *membership shall be unable to renew its affiliation for twenty-four (24) months from*
5 *the date of withdrawal, except as provided otherwise by the PORAC Board of*
6 *Directors or Executive Committee.*

7
8 Section 3. *PORAC membership benefits for individual members must be obtained through their*
9 *recognized or exclusive bargaining agent (association).*

10 *A. The I&B Committee/Trust may sponsor a PORAC approved insurance plan offered to*
11 *a recognized bargaining unit.*

12 *B. Federal officer organizations not included in Article XI, Section 1.B. may participate in*
13 *Legal Defense Fund (LDF) programs after a review of the organization and approval*
14 *by the Executive Committee or Board of Directors.*

15 *C. Paying RAM dues for membership does not entitle a member to automatic enrollment*
16 *in the IBT/PORAC Medical Plan.*

17 Rev. 11/02; Rev. 05/03; Rev. 01/13; Rev. 11/13

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

2 **MEMBERSHIP – POLICY**

3 Section 4. *Honorary life membership may be approved for any person who has contributed*
4 *substantially to the advancement of PORAC at the Chapter, Region, State or National*
5 *level. Honorary life members shall be sponsored by a PORAC Chapter. The sponsoring*
6 *Chapter shall be responsible for a one-time life dues payment of fifty dollars (\$50.00)*
7 *unless waived by the Board of Directors. Honorary life members may be provided with a*
8 *symbol of appreciation for his/her service to PORAC as provided by their sponsor.*
9 *Honorary life membership shall, upon retirement of that individual, also include automatic*
10 *membership in RAM. Honorary life membership bestows no other privileges or rights*
11 *within PORAC upon the honoree.*

12 Rev. 05/03; Rev. 11/08; Rev. 11/12; Rev. 11/13

13 Section 5. *Membership Lists - Prohibited Use of: The membership list of PORAC is a corporate*
14 *asset. Without consent of the Board of Directors, or in their absence, written approval from*
15 *the President, the membership list or any part thereof, may not be used by any person for*
16 *any 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.*

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

MEMBERSHIP – POLICY

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

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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; Rev. 11/09

7 Section 2. *Associate dues, including Retired Associate Members (RAM), Standard Associate*
8 *Members (SAM) and Retired Limited Members (RLM) must be paid when due or upon*
9 *application.*

10 Rev. 11/92; Rev. 11/04; Rev. 11/08; Rev. 11/09

11 Section 3. *PORAC Headquarters shall keep dues records and shall distribute quarterly reports*
12 *reflecting payments and delinquencies as required by the Board of Directors.*

13 Rev. 11/04

14 Section 4. *A five (5%) percent reimbursement of the total non-delinquent General Fund dues paid*
15 *by member associations shall be remitted to each Chapter.*

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

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

20 *C. Remittance of dues reimbursement to the Chapter shall be dependent upon*
21 *compliance with the Chapter reporting requirements set forth in SR Article VIII,*
22 *Section 7.*

23 Rev. 11/00; Rev. 11/04; Rev. 02/05; Rev. 02/08; Rev. 02/11

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

2 **DUES/CONTRIBUTIONS**

3 Section 5. *Voluntary contributions to the PORAC Political Action Issues Committee (PAC/PIC Fund)*
4 *shall be three dollars and no cents (\$3.00) from dues paid by active member*
5 *organizations on a per capita basis per month.*

6 Rev. 11/05; Rev. 11/07; Rev. 11/09

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

15 Rev. 11/00; Rev. 05/05; Rev. 11/07

16 *A. Chapter Political Action Committees shall be allocated twenty-one cents (\$0.21) of*
17 *the voluntary contributions from their member associations, except funds generated*
18 *from any statewide association.*

19 Rev. 11/15; Rev. 11/17

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

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

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

2 **DUES/CONTRIBUTIONS**

3 Section 6. *Mid-quarter membership additions and terminations within an association:*

4 A. *A member association may add or delete individual members during a quarter.*

5 B. *Individual members added by a PORAC member association will have an effective*
6 *date of the date received by PORAC, unless a later date is specified.*

7 C. *Individual members deleted by a PORAC member association will have an effective*
8 *termination date of the end of the month of the date received by PORAC, unless a*
9 *later date is specified. Credit for dues will be given for the remaining month(s) of the*
10 *quarter. A member's termination date must be the same or later than their termination*
11 *date for services in PORAC sponsored programs. (LDF, Insurances)*

12 D. *Dues credits for new deleted members will be included in the next quarterly statement.*

13 Rev. 11/19

14 Section 7. *The additional two dollars (\$2.00) per capita per month assessment authorized by Article*
15 *III, Section I of the Bylaws shall be specifically allocated to protect and defend any*
16 *California pension reform initiatives. Any such funds which remain unallocated shall be*
17 *segregated and held in reserve to be utilized for the same purpose in perpetuity.*

18 Rev. 11/15; Rev. 11/16

19 Section 8. *Out of State Limited Membership organizations shall be restricted to public safety*
20 *associations outside of California which are expressly required by one of the PORAC*
21 *affiliated Trusts (IBT, LDF or RMT) to establish membership as a condition of participation*
22 *in one of those Trust Funds. Such organizations shall pay dues as follows:*

23 A. *Out of State Limited Membership organizations shall pay dues at a rate of fifty cents*
24 *(\$0.50) per capita per month.*

25 B. *Dues shall be paid quarterly, as outlined in Section 1 of this Article.*

1 **S.R. Article IV**

2 **REGIONS/CHAPTERS**

3 Section 1. *Regions and Chapters shall be designated as follows:*

4 *A. Region I*

- 5 *Chapter 1 Northern California*
6 *(Marin, Napa, Solano, and Sonoma Counties)*
- 7 *Chapter 2 Bay Area*
8 *(Alameda, Contra Costa, San Francisco and San Mateo*
9 *Counties)*
- 10 *Chapter 3 Central Coast*
11 *(Monterey, San Benito, Santa Clara, and Santa Cruz*
12 *Counties)*
- 13 *Chapter 13 Redwood*
14 *(Del Norte, Humboldt, Lake and Mendocino Counties)*

15 *B. Region II*

- 16 *Chapter 4 Valley*
17 *(Alpine, Amador, Calaveras, Colusa, El Dorado, Nevada,*
18 *Placer, Sacramento, San Joaquin, Stanislaus, Sutter,*
19 *Tuolumne, Yolo and Yuba Counties)*
- 20 *Chapter 5 Central California*
21 *(Fresno, Kings, Madera, Mariposa, Merced and Mono*
22 *Counties)*
- 23 *Chapter 6 South San Joaquin Valley*
24 *(Inyo, Kern and Tulare Counties)*

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

2 **REGIONS/CHAPTERS**

3 *Chapter 14 North Valley*
4 *(Butte, Glen, Lassen, Modoc, Plumas, Shasta, Sierra,*
5 *Siskiyou, Tehama and Trinity Counties)*

6 **C. Region III**

7 *Chapter 7 Tri-Counties*
8 *(San Luis Obispo, Santa Barbara and Ventura Counties)*

9 *Chapter 8 L.A. North*

10 *Chapter 9 L.A. South*

11 **D. Region IV**

12 *Chapter 10 Inland*
13 *(San Bernardino and Riverside Counties)*

14 *Chapter 11 Orange County*

15 *Chapter 12 San Diego/Imperial*
16 *(Imperial and San Diego Counties)*

17 **E. Statewide Associations**

18 *Chapter 15 Statewide Associations*
19 *(Statewide associations as defined by Bylaw Article IV, Section*
20 *2(c))*

21 Rev. 11/09; Rev. 11/17; Rev. 11/19

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

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

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

24 Rev. 11/09

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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 LDF and I&B Committee/Trust and/or Committee programs and the*
23 *RMT by law enforcement/peace officer organizations from outside California.*

24 Rev. 11/95 ; Rev. 11/17

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

6 Section 4. *The President or his designee shall have the authority to poll the Board of Directors or*
7 *Executive Committee by telephone, email, text, facsimile, or any other methodology, in*
8 *order to conduct the business of the Association between regularly scheduled meetings.*
9 *All such polling shall be ratified and recorded at the subsequent Board of Directors or*
10 *Executive Committee meeting.*

11 Rev. 11/11

12 Section 5. *The PORAC Board of Directors, or its designee, shall have the authority to approve*
13 *Chapter Bylaws and amendments thereto retroactively to the date on which the Bylaws or*
14 *amendments were initially adopted by the Chapter. Retroactive approval shall not be*
15 *granted unless the Bylaws or amendment(s) are submitted to the Board of Directors for*
16 *final approval promptly after adoption by the Chapter.*

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

2 **POWERS**

3 Section 6. *The PORAC Board of Directors may provide written notice to any Chapter directing that*
4 *Chapter to take appropriate steps to bring the Chapter's Bylaws, Standing Rules, or*
5 *policies into compliance with the Bylaws and principles of PORAC. The Chapter shall*
6 *bring its Bylaws, Standing Rules and/or policies into compliance within 60 days. Failure*
7 *to do so shall result in automatic suspension of that Chapter's dues reimbursements*
8 *provided for under S.R. Article III, Section 4. Continued failure or refusal to bring the*
9 *Chapter's governing documents into conformity with the Bylaws and principles of PORAC*
10 *may result in further action by the PORAC Board of Directors including, but not limited to,*
11 *appropriate disciplinary action under Article XII and Article XIII of the PORAC Bylaws.*

12
13 Section 7. *PORAC Chapters shall remit all written contracts for review by the PORAC Board of*
14 *Directors or Executive Committee. PORAC Chapters shall remit all written contracts in*
15 *excess of one-thousand dollars (\$1,000.00) for pre-approval by the PORAC Board of*
16 *Directors or Executive Committee.*

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.*

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 I&B Committee/Trust and RMT*
10 *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 President, Executive Committee, or the*
20 *Board of Directors.*

21 (1) *Expenditure of unbudgeted funds for amounts up to five thousand dollars*
22 *(\$5,000.00) may be approved by the President.*

23 (2) *Expenditure of unbudgeted funds for amounts up to ten thousand dollars*
24 *(\$10,000.00) must be approved by the Executive Committee.*

25

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

2 **DUTIES-POLICIES**

3 *(3) Expenditure of unbudgeted funds for amounts over ten thousand dollars*
4 *(\$10,000.00) must be approved by the Board of Directors.*

5 Rev. 11/04; Rev. 08/20

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

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

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

19 Rev. 11/04

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

21
22 **Section 3. Fiscal Policies:**

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

25

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

2 **DUTIES-POLICIES**

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

7 Rev. 11/07; Rev. 11/11

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

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

17 Rev. 11/04

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

22 D. *PORAC Credit Cards:*

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

25 Rev. 11/04; Rev. 11/11

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

2 **DUTIES-POLICIES**

3 *E. PORAC will establish appropriate salary ranges based upon a salary survey of associations*
4 *and organizations with like positions. This survey shall be performed when recommended by the*
5 *Budget Committee and approved by the Board of Directors.*

6 Rev. 11/17

7 (1) *All salary levels shall be determined by the Board of Directors based on the*
8 *recommendation of the Budget Committee.*

9 Rev. 11/98; Rev. 11/01; Rev. 11/09; Rev. 11/17

10 (2) *The Budget Committee shall submit a recommendation of compensation levels to*
11 *the full Board of Directors for approval during the August Board of Directors*
12 *meeting.*

13 Rev. 3/94; Rev. 11/09; Rev. 11/17

14 (3) *Monthly stipends shall be given to the full-time release officers. Such stipends*
15 *shall be based on the recommendation by the Treasurer and the Budget*
16 *Committee, with final approval by the Board of Directors at the August meeting.*
17 *Approved changes will be made effective January 1 of the following year.*

18 Rev. 8/16; Rev. 11/16; Rev. 11/19

19 (4) *Prior approval of the Board of Directors must be obtained for the hiring of any*
20 *relative of a Director or employee. Prior to approval, the Board of Directors should*
21 *be satisfied that reasonable investigation of other potential applicants was made*
22 *and that the relative is more suitable than other potential employees.*

23 Rev. 11/98

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

2 **DUTIES-POLICIES**

3 **F. Personal Financial Transactions and Reporting Requirements:**

4 (1) *Any transaction between PORAC and (i) an Officer, Director or employee with a*
5 *personal financial interest in the transaction or (ii) an entity or association in which*
6 *the Officer, Director or employee has an interest for which he/she serves as an*
7 *Officer or Director, must be approved by a majority vote of the disinterested Board*
8 *of Directors prior to the transaction and, in any event, in accordance with the*
9 *California Nonprofit Corporations Law. Furthermore, no loans shall be approved*
10 *or made without a substantial business purpose to benefit PORAC and approval*
11 *of such loans must be made by the Board of Directors in accordance with the*
12 *California Nonprofit Corporations Law. Salary advances are generally prohibited.*

13 (2) *Each representative of PORAC, upon receiving any income, non-standard loan,*
14 *gift or gratuity worth in excess of two hundred and fifty dollars (\$250) in a calendar*
15 *month from any vendor who is currently doing business with or seeking to do*
16 *business with PORAC or an affiliated entity, shall submit a written report detailing*
17 *such benefits. The report shall be submitted within thirty (30) days of receipt of*
18 *the benefit.*

19 (a) *“Representative of PORAC” includes the PORAC President, Vice*
20 *President, Treasurer, Secretary, Trustees of affiliated entities,*
21 *Committee members, Region Directors, Chapter Presidents, Directors*
22 *and any other representatives designated by the Board of Directors.*

23 (b) *The report shall be submitted on a form prepared and approved by the*
24 *PORAC Board of Directors.*

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

2 **DUTIES-POLICIES**

3 (c) *The reporting requirement set forth herein does not apply to gifts or*
4 *gratuities received in conjunction with events sanctioned by PORAC at*
5 *the Annual Conference of Members or hosted events in conjunction with*
6 *a scheduled meeting of the Board of Directors, Executive Committee,*
7 *Board of Trustees or Committees Representatives wherein all members*
8 *of such Boards or Committees were invited.*

9 (d) *Failure to report as required by this section may constitute grounds for*
10 *discipline under Article XIII of the PORAC Bylaws.*

11 Rev. 11/13: Rev. 1/16

12 **G. Expenditure Guidelines:**

13 (1) *Director*

14 (a) *Association meetings:*

15 (i) *local association- no reimbursement for own association meeting.*

16 (ii) *within Chapter- reimbursed by Chapter if at the request of the Chapter, or*
17 *by PORAC if at the request of the President or Vice President.*

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

20 (b) *Chapter meetings:*

21 (i) *local Chapter- may be reimbursed by own Chapter as determined by that*
22 *Chapter.*

23 (ii) *outside local but within Region- reimbursed by Chapter if at the request of*
24 *the Chapter, or PORAC if at the request of the President or Vice President.*

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

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

2 **DUTIES-POLICIES**

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

5 (c) *Region meetings:*

6 (i) *local Region- reimbursed only when not possible for the Chapter to pay due*
7 *to insufficient funds.*

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

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

11 (i) *reimbursed upon timely submission of appropriate voucher to PORAC*
12 *Headquarters.*

13 (e) *Other meetings:*

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

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

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

20 Rev. 11/11

21 (2) *Committee Members*

22 (a) *reimbursed for all actual PORAC business expenses, as limited to those*
23 *budgeted, excluding attendance at a local Chapter or Region meeting hosted*
24 *by a Chapter, subject to review by the President or Vice President.*

25 Rev. 11/04; Rev. 11/11

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

2 **DUTIES-POLICIES**

3 (3) *Employees*

- 4 (a) *reimbursed for all actual PORAC business expenses, as limited to those*
5 *budgeted for, subject approval by the President or his/her designee.*

6 Rev. 11/98; Rev. 11/01; Rev. 5/04

7 (4) *Travel*

8 (a) *auto:*

- 9 (i) *mileage reimbursement shall be in accordance with the current Internal*
10 *Revenue Service guidelines.*

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

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

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

- 18 (v) *valet parking may be approved.*

19 Rev. 5/04; Rev. 11/07

20 (b) *Commercial travel:*

- 21 (i) *commercial travel shall be arranged through PORAC Headquarters at all*
22 *times with the exception of the President, Vice President and Treasurer.*

23 *Any variance from this policy must receive prior approval from the President*
24 *or Vice President.*

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

Rev. 5/04 ; Rev. 05/14

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

2 **DUTIES-POLICIES**

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

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

5 (i) MEALS	RECEIPTED	UNRECEIPTED
6 Breakfast	\$25.00	\$ 5.50
7 Lunch	30.00	9.50
8 Dinner	<u>45.00</u>	<u>15.00</u>
9	\$100.00	\$ 30.00

10 Rev. 5/04; Rev. 5/13; Rev. 6/17; Rev. 11/19

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

13 Rev. 2/09

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 can be made by the Executive Committee.*

25 Rev. 5/04 ; Rev. 5/13

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 or his/her designee.*

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 may, from individuals nominated by the Chapters, select a*
8 *“PORAC Member of the Year,” to be honored at the Conference of Members.*

9
10 Section 5. *Chapters will comply with the following:*

- 11 A. *The Chapter shall report to the PORAC Treasurer on its quarterly income and*
12 *expenses. The report shall reconcile with the Chapter bank statements and*
13 *shall provide sufficient explanations of all revenues and expenditures.*
- 14 B. *Chapter reimbursement checks will not be issued until the quarterly report is received*
15 *and approved by the Treasurer or his designee. If the quarterly report is not received*
16 *by 60 days after the end of the quarter, no chapter reimbursement check for the prior*
17 *quarter shall be issued, absent approval by the Executive Committee or Board of*
18 *Directors.*
- 19 C. *The PORAC Treasurer or his/her designee shall have the right to inspect Chapter*
20 *financial records.*

21 Rev. 11/93; Rev. 02/08; Rev. 11/10

- 22 D. *Chapters may engage in fund raising if the fund raising will not generate unrelated*
23 *business income. Chapter fund raising plans will be submitted to the Board of*
24 *Directors for approval and in advance of the event. The Board or the Executive*
25 *Committee shall review the proposal to determine whether it will generate unrelated*
business income effecting PORAC.

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

2 **DUTIES-POLICIES**

3 Section 6. *The Conference Co-Chairs shall approve expenditures for the Annual Conference*
4 *and shall review expenditures in light of the Annual Conference budget.*

5 Rev. 11/01; Rev. 11/11

6 Section 7. *The PORAC Board of Directors and the Executive Committee shall ensure that all current*
7 *vendors and sponsors of the organization, as well as those entities seeking to establish*
8 *such a relationship with PORAC, shall comply with the requirements set forth in the*
9 *PORAC Corporate Vendor and Sponsor Policy. At the meeting of the Board of Directors*
10 *following the Conference of Members, then current sponsorships shall be reviewed and*
11 *assessed to ensure compliance with PORAC's policies.*

12
13 Section 8. *The Board of Directors or Executive Committee shall have the authority to approve*
14 *appropriate financial contributions to offset anticipated legal expenses and costs incurred*
15 *by any affiliate in challenging or defending matters of statewide concern to law*
16 *enforcement officers consistent with existing PORAC Bylaws and Standing Rules. The*
17 *Board shall have sole discretion to determine the recipient of such funds and level of*
18 *contribution, if any, which shall be made. Any request for financial assistance must be*
19 *remitted in writing by the affiliate's President utilizing the appropriate PORAC form*
20 *requested from the PORAC President or Vice President.*

1 **S.R. Article IX**

2 **ELECTIONS/APPOINTMENTS**

3 Section 1. *It is incumbent on any active PORAC member who holds an elected or appointed*
4 *position in the PORAC organization and who also is an employee of PORAC, to disclose*
5 *any conflicts of interest and to excuse himself/herself from taking any such action as a*
6 *PORAC officer which create such conflict.*

7 Rev. 11/99; Rev. 11/06; Rev. 11/10

8 Section 2. *Upon completion of Region election counts, the Vice President shall announce the*
9 *results and include the following:*

10 A. *The results in uncontested elections.*

11 B. *List of all candidates in contested elections.*

12 C. *Tally of votes cast for each candidate in contested elections.*

13 D. *Total votes cast in contested elections.*

14 Rev. 11/06; Rev. 08/14; Rev. 11/14

15 Section 3. *Upon election of Chapter State Directors, each Chapter shall promptly report the*
16 *results to the PORAC Vice President.*

17
18 Section 4. *An elected officer or representative may provide an irrevocable resignation of office*
19 *effective upon a date certain prior to the expiration of their term in office. Upon receipt of*
20 *such an irrevocable resignation, the PORAC Vice President shall take appropriate steps*
21 *to fill the prospective vacancy pursuant to Article IX, Section II of the Bylaws.*

22
23 Section 5. *The President shall appoint the PORAC designee to the POST Commission or any other*
24 *public entity or position, subject to the approval of the Executive Committee or Board of*
25 *Directors.*

1 **S.R. Article X**

2 **VOTING**

3 Section 1. *Voting Strength*

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

7 B. *At the Conference of Members, representatives of all statewide associations shall*
8 *caucus within the Statewide Chapter, independent of any Chapter or Region. The*
9 *votes of Statewide associations shall be cast and counted independently of any*
10 *Region or other Chapter at the Conference of Members.*

11 Rev. 11/17; Rev. 11/19

12 Section 2. *Credentials Committee*

13 A. *The Credentials Committee shall adhere to the appropriate dates for receipt of dues*
14 *when calculating voting strength. For the Conference of Members, the voting*
15 *strength shall be based on the average annual monthly dues paid up to and including*
16 *the last complete quarter to the Conference of Members (September 30). For Region*
17 *and Chapter meetings where voting by member associations may take place, the*
18 *date by which dues must be received and current shall be the date of the meeting*
19 *or gathering.*

20 Rev. 11/17; Rev. 11/19

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

2 **VOTING**

3 *B. As a Standing Committee under Article XI, Section 10 of the PORAC Bylaws and*
4 *Article XI, Section 4 of these Standing Rules, the Credentials Committee, consisting*
5 *of four (4) members, one (1) from each Region, plus a Chairperson designated by the*
6 *President, shall convene at least one (1) day prior to the start of the Conference of*
7 *Members in order to receive designations and/or proxies from active member*
8 *organizations and to conduct any delegated functions or other appropriate business*
9 *of the Committee.*

10 *C. At the commencement of the second day of the Conference of Members, the*
11 *Credentials Committee shall provide a report to the Secretary including a list of all*
12 *active member organizations which provide timely designation or proxy forms.*

13 Rev. 5/03; Rev. 10/11; Rev. 11/11

14 **Section 3. Designations:**

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

18 Rev. 05/03

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

22 Rev. 05/03

23 *C. There shall be no authorized designations other than for the Conference of Members.*

24 Rev. 05/03

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

2 **VOTING**

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

9 Rev. 05/03

10 **Section 4. Proxies**

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

19 Rev. 05/03

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

25 Rev. 05/03

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

2 **VOTING**

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

6 Rev. 05/03

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

14 Rev. 05/03

15 **Section 5. Directors and Officer Proxies**

16 *A. At meetings other than the Conference of Members, Directors or Officers may issue*
17 *a proxy to another Director or Officer to communicate the interests of and cast the*
18 *votes for their office.*

19 Rev. 05/03; Rev. 11/13

20 *B. All proxies under this section must be submitted in writing and include the name of the*
21 *individual delegating and receiving the proxy, a clear delineation of either a general or*
22 *limited delegation of authority, and the date the proxy was issued.*

23 Rev.11/12; Rev. 11/19

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

2 **VOTING**

3 *C. Any such proxies shall be in writing and shall include the name of the Officer or*
4 *Director, the name of the designee, the date of the proxy, and the specific delegation*
5 *of authority.*

6 Rev. 05/03; Rev. 11/11

7 **Section 6. Forms**

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

11 Rev. 05/03

12 *B. Region Election Notice. Shall include the title of the office for which nominees are*
13 *being sought, any prerequisites to hold the office, date and time by which nominations*
14 *must be received, name and address where nominations are to be sent,*
15 *date/time/location where election will be held, statement that nominating and*
16 *balloting may be done in person, space for printed and signed names of the two (2)*
17 *eligible members making the nomination and second, their associations, date*
18 *nomination form completed, and the date/name of the person who drafted the*
19 *nomination form and content.*

20 Rev. 05/03; Rev. 11/14

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

2 **VOTING**

3 *C. Region Ballot for Election. Names of all nominees, and, title of office to be filled,*
4 *expiration of the term of office, deadline date/time by which ballots must be received,*
5 *name/address where ballots are to be sent, date/time/location where election will be*
6 *held, statements that ballots may be cast in person, date ballot was signed, printed*
7 *and signed name of eligible member casting the ballot and his/her association (all*
8 *printed information must be legible).*

9 Rev. 05/03; Rev. 08/14

10 *D. Ballot for Recall/Disciplinary Action. Name of the officer, Director, Trustee or*
11 *committee member subject to recall/discipline, title of position held, deadline by which*
12 *ballots must be received, date/time/location where the ballots will be counted, date*
13 *ballot was signed, printed and signed name of eligible member casting the ballot and*
14 *his/her association (all printed information must be legible). The accused and the*
15 *Region Directors may have a position statement not to exceed two (2) pages*
16 *included with each ballot. The ballot should limit voting options to one of: written*
17 *reprimand, removed from position, no action required.*

18 Rev. 05/03

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

25 Rev. 05/03

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

2 **VOTING**

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

8 Rev. 05/03

9 Section 7. *At the Conference of Members, the Secretary shall conduct the Roll Call for votes by*
10 *Region, Chapter, or Association pursuant to submitted designations and proxies.*
11 *After all the votes have been called, but before the tally of ballots has been tabulated by*
12 *the Credentials Committee, the Secretary shall inquire of the Conference of Members*
13 *three (3) times whether any active member organization has failed to cast its ballot.*
14 *At the conclusion of the third inquiry, the votes shall be tabulated.*

15 Rev. 05/03

16 Section 8. *At the Conference of Members, the Credentials Committee shall prepare a formal tally*
17 *of ballots for each election which it shall certify to the Secretary. At the conclusion of the*
18 *Conference, the Credentials Committee shall secure and seal all documents and*
19 *records pertaining to its duties which shall be provided to the Secretary and maintained at*
20 *the PORAC Headquarters.*

21 Rev. 05/03; Rev. 11/09

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

2 **VOTING**

3 Section 9. *Election Protests*

4 A. *All pre-election protests involving any matter pertaining to the election of the*
5 *President, Vice President or Treasurer of PORAC including, but not limited to the*
6 *nomination process, election campaigns, credentialing, designations and/or proxies,*
7 *shall be lodged in writing by the complaining party to the Credentials Committee prior*
8 *to the call for the election by the Secretary. The Credentials Committee shall*
9 *immediately report the complaint to the Secretary. Following a reasonable*
10 *investigation of the complaint, the Secretary shall provide the Conference of*
11 *Members a summary of the matter and rule on the complaint, applying the PORAC*
12 *Bylaws, Standing Rules and/or Robert's Rules of Order as appropriate. The decision*
13 *of the Secretary may be appealed to the Conference of Members.*

14 Rev. 05/03

15 B. *All post-election protests involving any matter pertaining to the election of the*
16 *President, Vice President or Treasurer of PORAC including, but not limited to the*
17 *voting process and/or tally of ballots, shall be lodged in writing by the complaining*
18 *party to the Credentials Committee by the end of the election day at the Conference*
19 *of Members. The Credentials Committee shall immediately report the complaint to*
20 *the Secretary. Following a reasonable investigation of the complaint, the Secretary*
21 *shall provide the Conference of Members a summary of the matter and rule on the*
22 *complaint, applying the PORAC Bylaws, Standing Rules and/or Robert's Rules of*
23 *Order as appropriate. The decision by the Secretary may be appealed to the*
24 *Conference of Members.*

25 Rev. 05/03

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

2 **VOTING**

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

9 Rev. 11/92; Rev. 11/95; Rev. 05/03

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1 **S.R. Article XI**

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 1. *No member of the Board of Directors shall serve on the LDF or I&B Trust/Committee, or*
4 *RMT except as the appointed member from the Board of Directors. Any LDF or I&B*
5 *Trust/Committee or RMT member elevated to the position of Director may serve the*
6 *remainder of his/her term on that LDF or I&B Trust/Committee or the RMT.*

7 Rev. 02/05

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

13 Rev. 02/05: Rev. 11/15

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

18 Rev. 02/05

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

21 Rev. 02/05

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

23 Rev. 02/05

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

2 **TRUSTS AND STANDING COMMITTEES**

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

10 Rev. 11/05

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1 **S.R. Article XII**

2 **INVESTIGATIVE POWERS**

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.*

19
20 Section 3. *Acts and offenses considered inimical and inconsistent with law enforcement under*
21 *Article XIII of the PORAC Bylaws include, but are not limited to, efforts by associations*
22 *affiliated with PORAC to defund any public safety organization.*
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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.*
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S.R. Article XV

RULES OF ORDER

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1 **S.R. Article XVI**

2 **BYLAW AND STANDING RULE AMENDMENTS**

3 *Section 1. Amendments to the PORAC Bylaws shall be approved only by the members at the*
4 *Conference of Members pursuant to Article XVI of the Bylaws.*

5
6 *Section 2. The Board of Directors may amend these Standing Rules provided such amendments*
7 *are not inconsistent with the Bylaws.*

8 *Section 3. The Board of Directors may approve amendments to the Standing Rules by a majority of*
9 *the voting Directors provided thirty (30) days written general notice of the proposed*
10 *amendments is given to the Directors or by a two-thirds (2/3) vote if less than thirty (30)*
11 *days written notice is provided.*

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13 Rev. 11/14

14 *Section 4. The Executive Committee shall have no authority or power to alter or amend the*
15 *Standing Rules.*

16 Rev. 11/13
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NOTES

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