



BYLAWS

JANUARY 2016

PORAC BYLAWS

TABLE OF CONTENTS

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

BYLAWS (Cont'd.)

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

BYLAWS (Cont'd.)

ARTICLE XI	STANDING COMMITTEES	
Sec. 9.	Bylaws	29
Sec. 10.	Credentials	30
Sec. 11.	Compensation	30
Sec. 12.	Recruitment and Retention	30
Sec. 13.	POREF Policy Review Committee	31
Sec. 14.	Appeals	31
Sec. 15.	PORAC News Editorial Committee	31
Sec. 16.	SPAC	31
Sec. 17.	RAM, Retired Associate Member	32
Sec. 18.	Memorial Committee	32
Sec. 19.	Scholarship Committee	32
ARTICLE XII	DISCIPLINE OF OFFICERS	
Sec. 1.	Disciplinary Procedures	33
Sec. 2.	Recall	34
ARTICLE XIII	DISCIPLINE OF ASSOCIATIONS AND MEMBERS	
Sec. 1.	Disciplinary Procedures	37
Sec. 2.	Nonpayment of Dues	37
Sec. 3.	Discipline of Individuals	37
ARTICLE XIV	ADMINISTRATION	
Sec. 1.	General Manager	39
Sec. 2.	Responsibilities	39
Sec. 3.	President	39
Sec. 4.	Labor Representation Program	39
Sec. 5.	Reserve Funds	39
ARTICLE XV	RULES OF ORDER	
Sec. 1.	Rules of Order	40
Sec. 2.	Distribution	40
Sec. 3.	Robert's Rules of Order	40
ARTICLE XVI	BYLAW AMENDMENTS	
Sec. 1.	Bylaws Committee	41
Sec. 2.	Two-thirds Vote	41
Sec. 3.	Emergency Amendments	41
Sec. 4.	Automatic Consistency	41
Sec. 5.	Conformity of Changes	41

**STANDING RULES
TO PORAC BYLAWS**

S.R. ARTICLE I	NAME AND OBJECTIVES	.	.	.	.	42
S.R. ARTICLE II	MEMBERSHIP-POLICY					
Sec. 1.	Preamble	.	.	.	.	42
Sec. 2.	Membership Approval	.	.	.	.	42
Sec. 3.	Membership Benefits	.	.	.	.	44
Sec. 4.	Honorary Members	.	.	.	.	45
Sec. 5.	Membership Lists	.	.	.	.	45
S.R. ARTICLE III	DUES/CONTRIBUTIONS					
Sec. 1.	Active Association	.	.	.	.	47
Sec. 2.	Associate	.	.	.	.	47
Sec. 3.	Records	.	.	.	.	47
Sec. 4.	Chapter Reimbursement	.	.	.	.	47
Sec. 5.	Political Action Committee Fund	.	.	.	.	48
Sec. 6.	Membership Changes	.	.	.	.	49
Sec. 7.	Pension Reform Initiative	.	.	.	.	49
S.R. ARTICLE IV	REGIONS/CHAPTERS					
Sec. 1.	Statewide	.	.	.	.	50
Sec. 2.	Chapter Composition	.	.	.	.	50
S.R. ARTICLE V	POWERS					
Sec. 1.	Endorsements	.	.	.	.	52
Sec. 2.	Out of State Oversight/LDF/I and B	.	.	.	.	53
Sec. 3.	Full or Part-time Release	.	.	.	.	54
Sec. 4.	Polling of Directors	.	.	.	.	54
Sec. 5.	Chapter Bylaws	.	.	.	.	54
S.R. ARTICLE VI	OFFICERS/BOARD OF DIRECTORS EXECUTIVE COMMITTEE					
Sec. 1.	Executive Committee/Seniority	.	.	.	.	55
Sec. 2.	Executive Committee/Position	.	.	.	.	55
Sec. 3.	Special Representatives	.	.	.	.	55
S.R. ARTICLE VII	MEETINGS					
Sec. 1.	Executive Session	.	.	.	.	56
Sec. 2.	Executive Committee/Quorum	.	.	.	.	56
Sec. 3.	Executive Committee	.	.	.	.	56

STANDING RULES (Cont'd.)

S.R. ARTICLE VIII	DUTIES-POLICIES	
Sec. 1.	Recording Secretary	57
Sec. 2.	Treasurer	57
Sec. 3.	Fiscal Policies	59
Sec. 4.	PORAC Member of the Year	68
Sec. 5.	Chapters	68
Sec. 6.	Conference Co-Chairs.	69
S.R. ARTICLE IX	ELECTIONS/APPOINTMENTS	
Sec. 1.	Conflicts of Interest	70
Sec. 2.	Region Election Results	70
Sec. 3.	Chapter Election Results	70
Sec. 4.	Resignation of Office	70
S.R. ARTICLE X	VOTING	
Sec. 1.	Voting Strength	71
Sec. 2.	Credentials Committee	71
Sec. 3.	Designations	72
Sec. 4.	Proxies	73
Sec. 5.	Directors and Officer Proxies	74
Sec. 6.	Forms, Approval of	75
Sec. 7.	Nevada Director	76
Sec. 8.	Nevada Associations	77
Sec. 9.	Conference of Members Roll Call	77
Sec. 10.	Formal Tally of Ballots	77
Sec. 11.	Election Protests	78
S.R. ARTICLE XI	TRUSTS AND STANDING COMMITTEES	
Sec. 1.	Eligibility	80
Sec. 2.	Candidates for Appointment	80
Sec. 3.	Insurance and Benefits, Receipts/Disbursement	80
Sec. 4.	Credentials Committee	80
Sec. 5.	Quarterly Reports	80
Sec. 6.	Fiscal Management Committee	81
S.R. ARTICLE XII	DISCIPLINE OF OFFICERS	
Sec. 1	Rules and Procedures	82
Sec. 2.	Final Decision	82
S.R. ARTICLE XIII	DISCIPLINE OF ASSOCIATIONS AND MEMBERS	
Sec. 1.	Failure to Pay Dues	83
Sec. 2.	Reinstatement	83

STANDING RULES (Cont'd.)

S.R. ARTICLE XIV	ADMINISTRATION	
Sec. 1.	Reserve Fund	84
S.R. ARTICLE XV	RULES OF ORDER	85
	There is no language under this Standing Rule.	
S.R. ARTICLE XVI	BYLAW AMENDMENTS	
Sec. 1.	Approval	86
Sec. 2.	Standing Rule Amendment Authority	86
Sec. 3.	Standing Rule Amendment Approval	86
Sec. 4.	Executive Committee	86
	NOTES	87

1 **ARTICLE I**

2 **NAME AND OBJECTIVES**

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

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

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

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

1 **ARTICLE II**

2 **MEMBERSHIP**

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

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

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

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

13 Rev. 11/04

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

19 Rev. 11/04

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

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

25 Rev. 11/02; Rev. 11/04

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

2 **MEMBERSHIP**

3 E. Nevada employee organizations, a majority of whose membership consists of peace
4 officers as defined in Nevada Revised Statute 289.010, shall have restricted voting
5 rights as provided in Article X, Section 1, A.

6 Rev. 11/00; Rev. 11/04; Rev.11/09

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

9
10 G. Active membership includes at-large associations.

11 Rev. 11/04

12 Section 4. **RETIRED MEMBERSHIP:** Any retiree from past or current affiliates of PORAC, or any
13 retired public safety officer with appropriate supporting documentation may be a Retired
14 Associate Member.

15 Rev.11/08; Rev.11/09

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

19 Rev. 11/99

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

22

23

24

25

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

2 **MEMBERSHIP**

3 Section 7. **ASSOCIATE MEMBERSHIP**: Associate membership shall be those individuals
4 approved as provided by these Bylaws. (S.R.)

5
6 Section 8. **LIMITED MEMBERSHIP** shall only be available to the following organizations:

7 A. Public safety organizations not eligible for other membership.

8 B. The Executive Committee or Board of Directors may give approval to grant limited
9 membership to any newly applying association otherwise eligible for full PORAC
10 membership for a period up to but not to exceed twelve (12) months.

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

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

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

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

17 Rev. 11/99

18 Section 10. Limited members have no rights in PORAC except to participate in the Legal Defense
19 Fund (LDF), Retiree Medical Trust (RMT), and Insurance and Benefits Trust (I&B)
20 programs and must qualify for each program in which they participate.

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

22 Section 11. Federal officer organizations not included in Article XI, Section 1.B. may participate in
23 Legal Defense Fund (LDF) programs after a review of the organization and approval by
24 the Executive Committee or Board of Directors.

25 Rev. 11/02

ARTICLE II (Cont'd.)

MEMBERSHIP

Section 12. Only employee organizations recognized as the exclusive bargaining representative by the public agency employing law enforcement offices may seek or maintain Active, Limited or Reserve Association Membership in PORAC, except as otherwise provided by the PORAC Board of Directors.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 during calendar year 2015 and 2016 and this
6 additional two dollar (\$2.00) assessment shall be specifically allocated to defeat any
7 California pension reform initiatives that may be proposed during this time. Each affiliated
8 active organization may opt-out of the additional two dollar (\$2.00) assessment by
9 conveying this decision in writing to PORAC. Beginning January 1, 2016, Active
10 membership organizations in the Nevada Chapter shall pay dues at the rate of seven
11 dollars (\$7.00) per capita per month. Non-active dues paying members, as listed below,
12 shall pay dues in the manner prescribed in the Bylaws and Standing Rules.

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

14 Section 2. Reserve peace officer associations shall pay dues at the rate of forty dollars (\$40.00) per
15 capita annually.

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

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 owing at the time of their withdraw.

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

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

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

2 **DUES**

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

5 Rev. 11/08; Rev.11/12: Rev. 11/13

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

7 Rev. 11/04

8 Section 6. Limited membership organizations shall pay dues of \$2.00 dollars per capita per month
9 effective January 1, 2009. Limited member associations who opt to withdraw from
10 PORAC, and subsequently seek to regain limited membership status, shall, over the
11 same number of months they were without PORAC limited membership, pay, in addition
12 to their new dues, the amount of dues that would have otherwise been paid if they had
13 maintained continuous limited membership. However, the above dues payback shall be
14 waived if the former limited members attain active member status.

15 Rev. 11/08

16 Section 7. As applied in these Bylaws, the term "per capita" shall mean all members of an affiliated
17 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 may participate and exercise all rights of individuals in the
16 Chapter and Region in which they or their employer is geographically located. (S.R.)

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

19 Rev. 11/06

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

REGIONS MAP

PORAC's 15 Chapters

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



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

22 Rev. 11/93; Rev. 11/06; Rev.11/09; Rev. 11/13

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

2 **POWERS**

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

8 Rev.11/08; Rev. 11/13

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

13 Rev.11/11

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

17 Rev. 11/09

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

22 Rev. 11/93

1 **ARTICLE VI**

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

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

4
5 Section 2. The Board of Directors shall be comprised of the President, Vice President, Treasurer,
6 one (1) 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, and eight (8) Directors. (S.R.)

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

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

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

1 **ARTICLE VII**

2 **MEETINGS**

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

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

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

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

12 A. At least 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.

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

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

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

18 D. In even numbered years, the Vice President shall be nominated and elected for a two
19 (2) year term by a majority of the votes cast at the Conference of Members.

20 Rev. 11/13

21 Section 3. In odd numbered years, the Treasurer shall be nominated and elected for a two (2) year
22 term by a majority of the votes cast at the Conference of Members.

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

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

2 **ELECTIONS/APPOINTMENTS**

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

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

7
8 Section 4. The President shall appoint a Secretary from one (1) of the Region Directors currently
9 on the Executive Committee, subject to approval of the Board of Directors.

10
11 Section 5. The President may appoint a Parliamentarian, Sergeant-at-Arms, and Chaplain subject to
12 the approval of the Board of Directors.

13
14 Section 6. Directors shall be elected or designated as follows:

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

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

19
20 Section 7. Regional members of the Executive Committee, the LDF Trust, RMT Trust and I&B Trust
21 shall be elected for terms of two (2) years by a majority of the votes cast by eligible active
22 members.

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 10th 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

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)
23 calendar 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 8. 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 9. 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 10. Officers, Chapter Directors, Executive Committee members, Standing Committee and
20 Trust members, shall take office at the close of the Conference of Members.

21
22 Section 11. Vacancies in any office excluding Chapter Director and State President shall be filled
23 within sixty (60) days following receipt of resignation, removal from office, or date office
24 is otherwise vacated, whichever occurs first.

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

2 **ELECTIONS/APPOINTMENTS**

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

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

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

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

17 (3) In the event of a tie or plurality vote, the Vice President shall, within five (5) days
18 of such vote, notify all eligible voters of election in accordance with this Article.
19 The manner of notice and voting shall be the same as the above except that only
20 the two (2) candidates receiving the largest number of votes in the first election
21 shall be included in the ballot.

22 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, in the same manner as above, elect an interim
12 President in the event this office is vacated and the Vice President is unable to
13 accede to the higher office.

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

20
21 Section 13. In the event the Vice President's office is to be filled, the President shall appoint a
22 member of the Executive Committee to assume the election responsibilities of the Vice
23 President.

24 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 Nevada associations and Federal Coalition associations may only vote on the following:
5 A. Dues issues.
6 B. Programs in which their members participate in directly.

7 Rev. 11/04; Rev.11/09

8 Section 2. At the Conference of Members, active member organizations shall be entitled to cast one
9 (1) vote for each of their eligible members. (S.R.)
10 A. Each active member organization is entitled to designate a representative to cast its
11 votes.
12 B. Active members may vote by proxy as provided by these Bylaws. (S.R.)
13 C. Retired Associate Members (RAM) shall be entitled to cast one (1) vote for their
14 committee and (1) vote for each additional one hundred (100) members.
15 D. The Credentials Committee shall determine the number of votes entitled to each
16 active member organization based on the average annual monthly dues paid up to
17 and including the last complete quarter prior to the Conference of Members.

18 Rev. 11/09

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

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

2 **VOTING**

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

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

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

8 Rev. 11/02; Rev. 11/14

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

12 Rev. 11/02

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

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

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

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

2 **VOTING**

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

6 Rev. 11/09; Rev. 11/13

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

10
11 Section 8. Independent and autonomous rules for voting on purely local internal Chapter issues may
12 be established by Chapter Bylaws.

13 Rev. 11/92; Rev. 11/11

14

15

16

17

18

19

20

21

22

23

24

25

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 and Nevada
14 may participate in PORAC Legal Defense Fund (LDF) programs without becoming
15 members of PORAC, provided they meet the participation requirements of, and are
16 approved by the PORAC Legal Defense Fund Board of Trustees.

17
18 Section 2. The Insurance and Benefits (I&B) Trust shall govern and direct the administration
19 of all PORAC insurance programs.

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

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

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

2 **TRUSTS AND STANDING COMMITTEES**

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

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

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

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

11 Rev. 11/07

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

14 C. Law enforcement/peace officer organizations from outside California and Nevada
15 may participate in PORAC I&B Trust programs without becoming members of
16 PORAC, provided they meet the participation requirements of, and are approved by
17 the PORAC I&B Trust.

18 Rev. 11/06

19 D. The PORAC Insurance and Benefits (I&B) Committee shall consist of the same
20 representatives elected or appointed to serve as a Trustee on the I&B Trust. The I&B
21 Committee shall serve as a liaison between PORAC and the I&B Trust, as well as to
22 perform any other duties and responsibilities assigned by the Board of Directors.

23 Rev. 11/14

24

25

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

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

25 Rev. 11/11; Rev. 11/07; Rev. 11/10

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

2 **TRUSTS AND STANDING COMMITTEES**

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

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

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

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

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

14 Rev.11/12

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

18 Rev. 11/04

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

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

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

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

Rev. 11/99; Rev. 11/09

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

2 **TRUSTS AND STANDING COMMITTEES**

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

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

12 Section 7. The Budget Committee shall review and finalize the annual budget before it is submitted
13 to the Board of Directors and Conference of Members. The Budget Committee shall
14 consist of four (4) members of the Executive Committee, one (1) from each Region,
15 appointed by the President. The Treasurer shall be the fifth member and shall chair the
16 Committee.

17 Rev. 11/07

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

21 Rev. 11/93

22 Section 9. The Bylaws Committee shall receive, review, make recommendations on, give notice of,
23 and distribute proposed amendments to these Bylaws and Standing Rules. The Bylaws
24 Committee shall consist of the Secretary as chairperson, and one (1) member from
25 each Region, appointed by the President.

Rev. 11/06; Rev.11/12

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 10. The Credentials Committee shall determine the eligibility of candidates, voters, and
4 proxies at the Conference of Members. The Committee shall receive and tally votes
5 and report their findings to the presiding officer at the Conference of Members. The
6 Credentials Committee shall consist of four (4) members, one (1) from each Region, as
7 recommended by the Region Directors and appointed by the President, who shall also
8 appoint the chairperson. (S.R.)
9

10 Section 11. Compensation Committee: The Compensation Committee is a standing committee of the
11 Executive Committee and reviews the commercial reasonableness of compensation
12 levels for all employees and contractors. The Committee will consist of five (5) members.
13 Four (4) members shall be appointed by the President, one (1) from each Region, with
14 the approval of the Board of Directors. The Vice President shall be the Chair of the
15 Committee.

16 Rev. 11/09

17 Section 12. The Recruitment and Retention Committee is responsible for program development to
18 current and prospective member associations, relating to PORAC, its benefits,
19 publications, affiliates, programs, and functions. The Committee shall consist of at least
20 one (1) member from each Trust, as well as a member of the Executive Committee. The
21 PORAC Vice President shall be the Chair of the Committee, and may appoint, subject to
22 approval of the President as ratified by the Board of Directors or Executive Committee,
23 up to three (3) additional committee members if necessary. The Chair may schedule
24 committee meetings as necessary to accomplish the goals of the committee.

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

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 13. The Executive Committee shall serve as the Board of Directors for POREF. (S.R.)

4 Rev. 11/01; Rev. 11/15

5 Section 14. The Executive Committee shall serve as an Appeals Board in any dispute arising from
6 employee actions. (S.R.)

7
8 Section 15. The Executive Committee is the Editorial Committee for the PORAC NEWS. (S.R.)

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

10 Section 16. The Specialized Police Association Coalition (SPAC) Committee shall assist the
11 Board of Directors and Executive Committee regarding issues that may affect
12 associations whose members obtain their authority by any section other than 830.1 or
13 830.2 of the Penal Code. The SPAC Committee will consist of one (1) active member
14 from each Region appointed by the President, subject to the approval of the Board of
15 Directors. The SPAC Committee shall appoint one (1) of its members to serve as Chair
16 of the Committee. The SPAC Committee Chair or one (1) of the Committee
17 representatives may attend Board of Directors meetings and Executive Committee
18 meetings.

19 Rev. 11/07; Rev. 11/15

20

21

22

23

24

25

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

2 **TRUSTS AND STANDING COMMITTEES**

3 Section 17. The Retired Associate Members (RAM) Committee shall assist the Board of Directors
4 and Executive Committee regarding issues that may affect the interest and well-being of
5 our retired members. The RAM Committee will consist of one (1) retired associate
6 member from each region appointed by the President, subject to the approval of the
7 Board of Directors. The RAM Committee shall appoint one (1) of its members to serve as
8 Chair of the Committee. The RAM Committee Chair or one (1) of the Committee
9 representatives may attend Board of Directors meetings and Executive Committee
10 meetings as required at the discretion of the President.

11 Rev. 11/09

12 Section 18. Memorial Committee: The Memorial Committee is a standing committee responsible for
13 reviewing and implementing PORAC's policies and procedures pertaining to in the line of
14 duty deaths and the California Peace Officers' Memorial. The Committee will consist of
15 four (4) members appointed by the President, one (1) from each Region, subject to the
16 approval of the Board of Directors. The Committee shall appoint one (1) of its members
17 to serve as the Chair of the Committee.

18
19 Section 19. Scholarship Committee: The Scholarship Committee is a standing committee
20 responsible for reviewing applications and awarding annual scholarships to dependents
21 of PORAC members. The Committee will consist of four (4) members appointed by the
22 President, one (1) from each Region, subject to the approval of the Board of Directors.
23 The Committee shall appoint one (1) of its members to serve as the Chair of the
24 Committee.

1 **ARTICLE XII**

2 **DISCIPLINE OF OFFICERS**

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

7 Rev. 11/04

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

11 Rev. 11/04

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

19 Rev. 11/04

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

Rev. 11/04

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

6 Rev. 11/04

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

19 Rev. 11/04

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

24 Rev. 11/04

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

2 **DISCIPLINE OF OFFICERS**

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;

25

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

2 **DISCIPLINE OF OFFICERS**

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

15

16

17

18

19

20

21

22

23

24

25

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 a 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

21
22
23
24
25

1 **ARTICLE XIV**

2 **ADMINISTRATION**

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

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

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

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

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

14 Rev. 11/98; Rev. 11/01; Rev. 11/13

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

18 Rev. 11/98; Rev. 11/01; Rev. 11/13

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

21
22 Section 5. Reserve funds maintained in the treasury of PORAC shall be expended only upon
23 approval of the Board of Directors or the Executive Committee. The Treasurer, by
24 special report presented at the Conference of Members, shall declare line-by-line, each
25 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).

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 bonafide urgency in joining PORAC, as deemed appropriate*
18 *by the PORAC President or Vice President, may become members forthwith, upon*
19 *submitting the required documents and check or other form of payment approved by*
20 *PORAC, and such membership and eligibility approved in writing, by the PORAC*
21 *President or Vice President. Such urgency membership approvals are, however,*
22 *subject to ratification at the next meeting of the Executive Committee or Board of*
23 *Directors.*

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 *Retired Associate Member (RAM). Such individuals may become members upon*
7 *submitting the required documents and check or other form of payment approved*
8 *by PORAC, and such membership and eligibility approved in writing by the*
9 *PORAC President or Vice President.*
- 10 2. *Any law enforcement related person qualified per Bylaw Article II, Section 7 who*
11 *desires PORAC affiliation may become a Standard Associate Member (SAM).*
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 Executive Committee or Board of*
15 *Directors.*
- 16 3. *Any Retired Associate Member (RAM) or Standard Associate Member (SAM)*
17 *may have their membership revoked by the PORAC President or Vice President*
18 *subject to the ratification by the Executive Committee or Board of Directors.*

19 Rev. 11/04; Rev. 11/07; Rev. 11/13

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

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

2 **MEMBERSHIP – POLICY**

3 *E. PORAC respects the established affiliation of law enforcement associates with other*
4 *labor or fraternal organizations. Any law enforcement association which has been*
5 *denied membership in another labor or fraternal organization may immediately apply*
6 *for affiliation with PORAC. Any law enforcement association which breaks its*
7 *membership with another labor or fraternal organization may only apply for affiliation*
8 *with PORAC after twenty-four (24) months, except as provided otherwise by the*
9 *PORAC Board of Directors or Executive Committee.*

10
11 **Section 3.** *PORAC membership benefits for individual members must be obtained through their*
12 *recognized or exclusive bargaining agent (association).*

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

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

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

20 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.*

25

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 Member (RAM), must be paid when due or*
8 *upon application.*

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

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

12 Rev. 11/04

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

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

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

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

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

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 (\$.21) of the*
17 *voluntary contributions from their member associations, except funds generated from*
18 *any statewide association. Nevada Chapter shall receive three dollars (\$3.00)*
19 *effective January 1, 2016.*

20 Rev: 11/15

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

DUES/CONTRIBUTIONS

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

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

B. Individual members added by a PORAC member association will have an effective date of the postmark dated on the envelope, unless a later date is specified.

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

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

Section 7. *The additional two dollars (\$2.00) per capita per month assessment authorized by Article III, Section I of the Bylaws shall be specifically allocated to defeat any California Pension initiatives. Any such funds which remain unallocated shall be segregated and held in reserve to be utilized for the same purpose until January, 2017, at which time the Board of Directors, at its discretion, may roll these funds into the PORAC PIC account.*

Rev: 11/15

1 **S.R. Article IV**

2 **REGIONS/CHAPTERS**

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

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

7 *A. Region I*

8 *Chapter 1 Northern California*

9 *(Marin, Napa, Solano, and Sonoma Counties)*

10 *Chapter 2 Bay Area*

11 *(Alameda, Contra Costa, San Francisco and San Mateo*
12 *Counties)*

13 *Chapter 3 Central Coast*

14 *(Monterey, San Benito, Santa Clara, and Santa Cruz Counties)*

15 *Chapter 13 Redwood*

16 *(Del Norte, Humboldt, Lake and Mendocino Counties)*

17 *B. Region II*

18 *Chapter 4 Valley*

19 *(Alpine, Amador, Calaveras, Colusa, El Dorado, Nevada, Placer,*
20 *Sacramento, San Joaquin, Stanislaus, Sutter, Tuolumne, Yolo*
21 *and Yuba Counties)*

22 *Chapter 5 Central California*

23 *(Fresno, Kings, Madera, Mariposa, Merced and Mono Counties)*

24 *Chapter 6 South San Joaquin Valley*

25 *(Inyo, Kern and Tulare Counties)*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

REGIONS/CHAPTERS

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

Chapter 15 Nevada

C. Region III

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

Chapter 8 L.A. North

Chapter 9 L.A. South

D. Region IV

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

Chapter 11 Orange County

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

Rev. 11/09

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

25

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

2 **POWERS**

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

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

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

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

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

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

20 Rev. 05/03; Rev. 11/06

21 Section 2. *The PORAC Board of Directors/Executive Committee shall have oversight regarding*
22 *the participation in LDF and I&B Committee/Trust and/or Committee programs and the*
23 *RMT by law enforcement/peace officer organizations from outside California and Nevada.*

24 Rev. 11/95

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

2 **POWERS**

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

5 Rev. 11/05; Rev. 11/06

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 VI**

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

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

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

8
9 Section 3. *The Nevada Chapter Director or designee, shall be invited to attend all Executive*
10 *Committee meetings at PORAC expense. These representatives will be non-voting*
11 *representatives whose purpose will be to provide input to the Executive Committee*
12 *regarding issues that will potentially affect the members they specifically represent.*

13 Rev. 11/03; Rev. 11/04; Rev. 11/07; Rev.11/09; Rev. 11/15

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

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **S.R. Article VIII**

2 **DUTIES-POLICIES**

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

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

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

14 Rev. 11/04

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

19 Rev. 11/04

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

23 Rev. 11/04

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

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

2 **DUTIES-POLICIES**

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

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

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

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

13 Rev. 11/04

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

17 Rev. 11/07

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

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

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

25 Rev. 11/04

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

2 **DUTIES-POLICIES**

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

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

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

16 Rev. 11/04

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

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

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

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

Rev. 11/07; Rev. 11/11

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

2 **DUTIES-POLICIES**

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

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

12 Rev. 11/04

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

17 D. *PORAC Credit Cards:*

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

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

21

22

23

24

25

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

2 **DUTIES-POLICIES**

3 *E. PORAC will establish appropriate salary ranges based upon a salary survey of*
4 *associations and organizations with like positions. This survey shall be performed*
5 *every year.*

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

8 *Rev. 11/98; Rev. 11/01; Rev. 11/09*

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

12 *Rev. 3/94; Rev. 11/09*

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

17 *Rev. 11/98*

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

19 *(1) Any transaction between PORAC and (i) an Officer, Director or employee with a*
20 *personal financial interest in the transaction or (ii) an entity or association in which*
21 *the Officer, Director or employee has an interest for which he/she serves as an*
22 *Officer or Director, must be approved by a majority vote of the disinterested Board*
23 *of Directors prior to the transaction and, in any event, in accordance with the*
24 *California Nonprofit Corporations Law. Furthermore, no loans shall be approved*
25 *or made without a substantial business purpose to benefit PORAC and approval*

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

2 **DUTIES-POLICIES**

3 *of such loans must be made by the Board of Directors in accordance with the*
4 *California Nonprofit Corporations Law. Salary advances are generally prohibited.*

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

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

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

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

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

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

2 **DUTIES-POLICIES**

3 **G. Expenditure Guidelines:**

4 (1) *Director*

5 (a) *Association meetings:*

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

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

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

11 (b) *Chapter meetings:*

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

14 (ii) *outside local but within Region- reimbursed by Chapter if at the request of*
15 *the Chapter, or PORAC if at the request of the President or Vice President.*
16 *Excludes Executive Committee members who are authorized to attend all*
17 *Chapter meetings within their Region.*

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

20 (c) *Region meetings:*

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

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

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

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

2 **DUTIES-POLICIES**

3 (i) *reimbursed upon timely submission of appropriate voucher to PORAC*
4 *Headquarters.*

5 (e) *Other meetings:*

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

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

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

12 Rev. 11/11

13 (2) *Committee Members*

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

17 Rev. 11/04; Rev. 11/11

18 (3) *Employees*

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

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

22

23

24

25

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

2 **DUTIES-POLICIES**

3 (4) *Travel*

4 (a) *auto:*

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

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

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

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

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

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

16 (b) *Commercial travel:*

17 (i) *commercial travel shall be arranged through PORAC Headquarters at all*
18 *times with the exception of the President, Vice President and Treasurer.*
19 *Any variance from this policy must receive prior approval from the President*
20 *or Vice President.*

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

22 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	\$20.00	\$ 5.50
7 Lunch	25.00	9.50
8 Dinner	<u>45.00</u>	<u>15.00</u>
9	\$90.00	\$ 30.00

10 Rev. 5/04; Rev. 5/13

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.

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

DUTIES-POLICIES

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

Rev. 11/01; Rev. 11/11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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*
21 *PORAC steps to fill the prospective vacancy pursuant to Article IX, Section II of the*
22 *Bylaws.*

1 **S.R. Article X**

2 **VOTING**

3 Section 1. *Voting Strength*

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

6
7 Section 2. *Credentials Committee*

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

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

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

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

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

2 **VOTING**

3 Section 3. *Designations:*

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

7 Rev. 05/03

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

11 Rev. 05/03

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

13 Rev. 05/03

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

20 Rev. 05/03

21

22

23

24

25

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

2 **VOTING**

3 Section 4. *Proxies*

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

12 Rev. 05/03

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

18 Rev. 05/03

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

22 Rev. 05/03

23

24

25

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

2 **VOTING**

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

10 Rev. 05/03

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

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

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

16 *B. Executive Committee members may only issue a proxy to a Director or Chapter*
17 *President from their Region or another Executive Committee Director to represent*
18 *their office at Executive Committee meetings.*

19 Rev.11/12

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

23 Rev. 05/03; Rev. 11/11

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

2 **VOTING**

3 Section 6. *Forms*

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

7 Rev. 05/03

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

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

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

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

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

2 **VOTING**

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

11 Rev. 05/03

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

18 Rev. 05/03

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

24 Rev. 05/03

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

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

2 **VOTING**

3 Section 8. *Nevada associations shall vote for members of the LDF or RMT or I&B Trust/Committee*
4 *based on participation in any of the above programs.*

5 Rev. 11/92; Rev. 11/95; Rev.11/08

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

12 Rev. 05/03

13 Section 10. *At the Conference of Members, the Credentials Committee shall prepare a formal tally*
14 *of ballots for each election which it shall certify to the Secretary. At the conclusion of the*
15 *Conference, the Credentials Committee shall secure and seal all documents and*
16 *records pertaining to its duties which shall be provided to the Secretary and maintained at*
17 *the PORAC Headquarters.*

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

19
20
21
22
23
24
25

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

2 **VOTING**

3 Section 11. *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

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 insure 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

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **S.R. Article XII**

2 **DISCIPLINE OF OFFICERS**

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

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

14 Rev. 02/05

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

25 Rev. 02/05

1 **S.R. Article XIII**

2 **DISCIPLINE OF ASSOCIATIONS AND MEMBERS**

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

15
16 Section 2. *Dues-Reinstatement after Suspension. A suspended member and/or member*
17 *association may be reinstated upon payment of all arrearage under such terms and*
18 *conditions as may be determined by the Board of Directors.*
19
20
21
22
23
24
25

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.*
22
23
24
25

S.R. Article XV

RULES OF ORDER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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.*

12
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
17
18
19
20
21
22
23
24
25

NOTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25