



FIREARMS

OWNERS

AGAINST

CRIME

Official Bylaws
Of
Firearms Owners Against Crime

December 11, 2005

P.O. Box 14
Presto, PA 15142

Official Bylaws of **Firearms Owners Against Crime**

Article I: Name

The official name of this Organization shall be Firearms Owners Against Crime **PAC** organized in the Commonwealth of Pennsylvania and registered with the Federal Elections Commission.

Article II: Purpose and Objective

This Organization is organized and registered under the laws of the United States and the Commonwealth of Pennsylvania as a non-partisan, non-connected Political Action Committee. This Organization will expressly advocate the election of acceptable candidates to Political office who support the right of citizens to exercise constitutional freedoms as guaranteed by the Constitutions of the United States and the Commonwealth of Pennsylvania. We will accomplish these goals by monitoring and reviewing legislative initiatives, voting records and legal decisions of elected officials, and rating candidates through the use of Questionnaires and personal interviews and other public records. We will publish the records and views of candidates for public office in our Voter's Guide and on our web site on the Internet. This Organization will strive to create a public sentiment of support for the individual possession of firearms by law-abiding citizens recognized and affirmed by the Second Amendment to the United States Constitution and Article 1, Section 21 of the Pennsylvania Constitution through the election of suitable candidates to public office

It shall also be the purpose of this organization to protect the inalienable right, guaranteed by the Constitutions of the United States and the State of Pennsylvania, of the individual American citizen to acquire, transport, possess, carry, and transfer ownership of arms, in order that people may exercise the right to self-preservation and defense of family, person, and property, as well as defend the nation and the individual liberty of its citizens through the election of suitable candidates to public office.

Article III: Membership

Section 1: Membership.

(a) Membership in the Organization shall comprise of individuals who pay such dues as may be set by the Board of Directors for membership, and meet all other requirements for membership as set forth in this Article.

(b) Membership shall be open to all citizens or legal residents of the United States who are of good repute, who have never been convicted of a crime of violence, subscribe to the purposes and objectives of the Organization, and who meet the specific requirements for the type of membership for which application is made.

Section 2: Rights and Privileges of Membership

(a) Except as otherwise provided in these Bylaws, Members shall have the right to receive Organization publications, attend and be heard at all meetings of the Organization, and exercise such other rights and privileges as may accrue to members of this Organization.

(b) Members shall have the right to vote in all matters, which are put to a vote of the membership, and shall also have the right to hold any office of the Organization for which they are otherwise eligible.

Section 3: Voting.

Each Member shall be entitled to cast one vote on any matter, which may come before any meeting of the Organization. All voting shall be done in person, and not by proxy. No member of any type who is in arrears on any payments to the Organization shall be eligible to vote. Cumulative voting is prohibited.

Section 4: Expiration, Suspension and Expulsion.

(a) Membership in the Organization shall automatically terminate on the thirtieth day following the date on which renewal payments to the Organization were due if dues remain unpaid.

(b) A member may be suspended or expelled from membership in the Organization by a majority vote of the members present at any regular meeting, for cause.

(c) No vote on suspension or expulsion of a member may be taken unless the Secretary shall have caused notice of the proposed suspension or expulsion, together with the charges which are thought to merit such action, and notification of the member's right to request a hearing on the charges, to be forwarded to the accused member not less than 15 days prior to the date of the meeting of the membership at which the vote on suspension or expulsion will be taken. If the member does not request a hearing on the charges, he will be deemed to have waived his right to a hearing on the matter, and indicated his willingness to abide by the decision of the membership. If the member request a hearing, the membership must convene a hearing within 30 days, at which the accused member shall have the right to confront his accusers, examine witnesses, and present evidence bearing on the charges. At the completion of the hearing, the members, by a majority vote, may: affirm the charges and impose a suspension or expulsion; affirm the charges and impose some lesser penalty; or reject the charges.

(d) Charges against a member may be brought by any member of the Organization in good standing, but they must be made in writing, with supporting documents, if any, attached. Charges shall be submitted to the attention of the Secretary or Chairman of the Organization.

Section 5: Resignations.

A member may resign from the Organization by letter to the Secretary of the Organization. Resignations are considered to be effective upon the date received, unless a later date shall be specified therein. Resignation shall not release a member from any financial obligations to the Organization previously incurred, nor shall any member be entitled to any refund of dues or fees paid to the Organization.

Article IV: Meetings of the Organization

Section 1: Annual Meetings.

During the month of December of each year, the Organization shall conduct a meeting for the election of directors and the transaction of such other business as may properly come before the meeting except those specifically reserved to the Board by law or these Bylaws.

Section 2: Special Meetings.

Special meetings of the Organization may be held at any time, upon the call of the Chairman or upon petition of 15 members in good standing of the Organization, that petition shall state the object of the proposed meeting. Notice of the time, place and object of any proposed special meeting shall be provided to all members in good standing

Section 3: Regular Meetings.

Schedule of the regular meetings shall be approved by the Board of Directors and published at the annual meeting. All business at such meetings shall be conducted on a vote of a majority of those members present unless otherwise called for in these bylaws.

Section 4: Quorum.

At any annual, regular or special meeting, a quorum shall consist of a majority of the members of the Board of Directors present. Or 15 regular members of which 3 are members of the Board of Directors

Article V: The Board of Directors

Section 1: Composition and Election.

- (a) The Board of Directors shall consist of eight (8) members, elected as provided in this Article from among members entitled to vote. Half of the Board of Directors shall be elected to a 4-year term every two years.
- (b) Every four years from the adoption of these bylaws a Nominating Committee shall be elected by the membership at the October meeting, however, upon ratifications of the changes to these bylaws in November of 2003 nominations shall be taken from the floor at the November 2003 members meeting. Initial voting for the Board of Directors shall be four for a two-year term, and four for a 4-year term.
- (c) The Nominating Committee shall be three members of which only 1 may be a member of the Board of Directors. A report of the Nominating Committee shall be given at the November meeting, and additional nominations may be made from the floor at that meeting. Nominations shall be closed at the end of the November meeting. The names of those nominated shall be published in the meeting minutes and in the newsletter prior to the December meeting.
- (d) Election of Directors shall take place in December, with all voting done by the use of paper ballots. Those candidates receiving most of the votes cast shall be deemed elected. The names of those elected shall be published in the meeting minutes, in the newsletter and posted on the web site.

Section 2: Term of Office.

The term of office of a Director shall be for four (4) years, except as provide for in Section 1(b), beginning in December of 2003 or until their successor is elected.

Section 3: Vacancies. If a vacancy occurs on the Board, the Board shall nominate a successor and that nominee shall take office after being approved by a majority of the membership present at the next membership meeting.

Section 4: Powers and Duties.

The governing body of the Organization shall be the Board of Directors. The Board of Directors shall have supervision, control, and direction of the affairs of the Organization, its committees and publications; shall determine its policies or changes therein; shall actively prosecute its objectives and supervise the disbursement of its funds. The Board may adopt such rules and regulations for the conduct of its business as shall be deemed advisable, and may in the execution of the powers granted, delegate certain of its authority to the Executive Committee. Following the election of the Board of Directors the Board shall elect officers from among themselves. Those elected, as officers shall take office immediately.

Section 5: Regular Meetings.

The Board of Directors shall meet to transact business of the Organization not less often than quarterly, provided that 2 weeks notice is given each director.

Section 6: Quorum.

At all meetings of the Board of Directors, a majority of the Board shall constitute a quorum for the conduct of business. All matters must be approved by 5 affirmative votes.

Section 7: Proxy Voting.

All votes at meetings of the Board of Directors shall be cast in person and not by proxy.

Section 8: Compensation of Directors

No Director shall receive any salary or emolument unless specifically authorized by resolution of the Board of Directors, but all such persons shall be entitled to reimbursement for expenses approved by the Chairman.

Section 9: Call of Special Meetings of Directors

The Chairman may call special meetings of the Board of Directors whenever in his opinion the business of FOAC may require it, or at the express written request of any three members of the Board of Directors.

Whenever a special meeting shall be called, a notice in writing shall be sent by mail or email to each member of the Board stating the date, hour and location of the meeting and the specific purpose for which such meeting is called, and no other business shall be transacted, except as is stated in the notice.

Article VI: Officers

Section 1: Number and Election.

The officers of the Organization shall consist of a Chairman, Vice-President, Secretary, Treasurer, and Executive Director of Communications, elected from the Board of Directors at the December meeting for one-year terms. Officers must be members in good standing of the Organization, and at least 19 years of age. No officer may hold more than one office simultaneously, except the office of Treasurer may also be held by the secretary. The Board of Directors may establish other appointive offices as it deems proper to expedite the conduct of the affairs of the Organization.

Section 2: Powers and Duties.

(a) **Chairman.** The Chairman shall serve as Chairman of the Board of Directors and shall preside at all meetings thereof and at all meetings of the members. He shall serve as a member, ex officio, with rights to vote, on all committees. He shall make all required appointments of standing and special committees and the chairman thereof, subject to the confirmation of the Board of Directors

(b) **Vice-President.** The Vice-President shall perform the duties of the Chairman in his absence, at his request, or in the event of inability or refusal to act. In case a vacancy shall occur in the office of Chairman, the Vice-President shall become Chairman and shall serve for the balance of the term. The Vice-President shall perform such other duties as may be assigned to him by the Chairman or Board of Directors.

(c) **Secretary.** The Secretary shall attend and keep minutes of all meetings of the Organization, the Board of Directors, and the Executive Committee. He shall see that all notices are given in accordance with the provisions of state law and these Bylaws; shall be the custodian of all books, minutes, and records of the Organization. He shall attest to all official documents and resolutions of the Organization. He or his agent shall receive all applications for membership in the Organization; shall be responsible for the collection of all dues, fees, and assessments, and shall remit same promptly to the Treasurer, obtaining a receipt therefore. He shall issue such credentials and indicia of membership as may be required by these Bylaws or as directed by the Board shall be responsible for maintaining an accurate roster of all current members in good standing, including their mailing addresses and such other information as may be required by the Board. He shall conduct all official correspondence,

(d) **Treasurer.** The Treasurer shall receive, have in charge, and be responsible for all money, bills, notes, bonds, and like property coming into his possession belonging to the Organization. He shall establish and maintain proper accounting standards for the handling of the Organization's funds, and shall be responsible for the keeping of the funds in such banks, other financial institutions, and/or investment media as shall be determined by the membership. He shall report on the financial condition of the Organization at all meetings of the Membership, and perform such other duties as may be assigned to him from time to time by the Chairman. He shall file all reports of contributions and Expenditures of the organization to the proper federal and state agencies.

The Treasurer is responsible for assisting in preparing a statement of financial condition as of the close of each fiscal year as may be established by the Board of Directors, and shall furnish a copy of such statement to the Chairman.

At the expiration of his term of office, the Treasurer shall promptly deliver over to his successor all books, money, and other property of the Organization in his charge, or, in the absence of a successor, he shall deliver such properties over to the Chairman.

(e) **Executive Director of Communications.** The Director of Communications shall be responsible for communicating the effort of FOAC to other interested individuals and organizations in each of the 67 counties in the Commonwealth of Pennsylvania FOAC's policy supporting candidates for all public office. He shall be responsible for keeping accurate the membership list of FOAC and be responsible for maintaining FOAC's mailing lists. He shall be responsible for coordinating the distribution of FOAC Voters Guides to FOAC chapter leaders in each of the 67 counties.

Section 3: Vacancies.

In the event of a vacancy in any office, the vacancy shall be filled by majority vote of the Board of Directors.

Section 4: Suspension and Removal.

An officer may be suspended or removed from office, for cause, by a two-thirds majority vote of members present at a special meeting; provided, however, that no vote on such suspension or removal shall be taken until the Secretary/Treasurer shall have caused notice to be served upon the accused officer, stating the nature of the charges thought to merit suspension or removal, and giving the accused an opportunity to request a hearing on the charges before the Membership. If such a hearing is requested, it shall be conducted in the same manner as specified in Article III, Section 4 (c) of these Bylaws.

Article VII: Committees.

Section 1: Special Committees.

The Chairman shall establish such special committees, as he deems necessary for the conduct of the affairs of the Organization, and shall appoint the members thereof. The Chairman may charge the committee with specific tasks.

Section 2: Regional Committees.

The Chairman and officers encourage the establishment of such regional committees, as is deemed necessary for the conduct of the affairs of the Organization. The Chairman may charge the committee with specific tasks in addition to the normal affairs of the organization.

The Chairman shall have the power to appoint members to this regional committee with the approval of the officers and board of directors.

All regional committee members, including the President, shall be members in good standing of FOAC. Failure to maintain membership in FOAC will result in automatic termination of official participation in regional committee actions and activities.

Once appointed, the regional committee President shall have the authority to appoint such members to his committee as is deemed appropriate to conduct the business of the committee locally. The FOAC Chairman and board of directors shall confirm these appointments.

Regional committee members shall receive special documents recognizing them as FOAC regional committee members.

The regional committee shall adhere to the bylaws of FOAC and the election laws of the Commonwealth of PA and the United States of America. Conduct failing to adhere to the above will result in automatic review by the Chairman, officers and board of directors for possible action under Article 6, section 4 of the FOAC bylaws.

All decisions of the regional committee shall be communicated to the Chairman, or designee, for review and authorization. The officers and board of directors, at the next regularly scheduled monthly meeting, shall render final approval of the initial authorization by the Chairman, or designee, of the regional committee decision.

Article VIII: Finance

Section 1: Fiscal Year.

The fiscal year of the Organization shall be the calendar year

Section 2: Maximum Expenditure.

Any expenditure above \$250.00 shall be approved by Board of Directors.

Article IX Parliamentary Authority

Robert's Rules of Order, Newly Revised, or any subsequent revision thereof, shall govern the deliberations at all meetings of members, the Board of Directors, unless specific exceptions are made herein.

Article X: Seal.

The Organization shall have a seal bearing the words "Firearms Owners Against Crime" The Official Seal that is imprinted upon the title page of these Bylaws is the seal of this Organization.

Article XI: Dissolution

The Organization shall use it's funds only to accomplish the objectives and purposes specified in these Bylaws and no part of said funds shall inure, or be distributed, to the members of the Organization. Upon dissolution of the Organization, after the payment of all outstanding indebtedness of the Organization, including unpaid loan capital however evidenced, any funds remaining shall be distributed to one or more organizations.

Article XII: Amendments.

These Bylaws may be amended or repealed by a two-thirds vote of the members entitled to vote present at any Annual Meeting or Special Meeting of the Organization duly called and regularly held, notice of such proposed changes having been sent in writing to the members entitled to vote thereon not less than thirty days before such meeting. Amendments may be proposed by the Board of Directors on its own initiative, or by petition by any 15 percent of the members entitled to vote, addressed to the Board and received not less than sixty days prior to any Annual Meeting or Special Meeting. The Board shall present all such proposed amendments to the membership with or without recommendation. The Secretary shall send the amended Bylaws to all members of the Organization as soon as possible.

- Original Version-June 1995
- Amended November 18, 2001 (Officer Clarifications, additions and Office Name Changes)
- Amended November 16, 2003
- Amended December 11, 2005 (Article VII, Committees)