

# Official Bylaws of **Firearm Owners Against Crime**

P.O. Box 1111  
McMurray, PA 15317

## ARTICLE I: NAME OF THE ORGANIZATION

The official name of the organization shall be “Firearm Owners Against Crime PAC” (FOAC-PAC), here-in-after “FOAC”.

## ARTICLE II: LEGAL DESCRIPTION

FOAC 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 (PAC).

## ARTICLE III: MISSION

To guard against encroachment of constitutional freedoms protected by the Pennsylvania Declaration of Rights in Constitution of the Commonwealth of Pennsylvania with a principal focus on Article 1, Section 21 “Right to Bear Arms” and Section 25 “Reservation of Powers in the People” and the 2<sup>nd</sup> Amendment of the Constitution of the United States through public education programs, political activism and support of candidates and elected officials who support these rights.

## ARTICLE IV: MEMBERSHIP

### Section 1: Qualifications.

Membership in FOAC shall be open to all citizens or legal residents of the United States who:

- (a) support the mission and goals of FOAC,
- (b) remit such dues as may be set by the Board of Directors for membership on a timely basis, and
- (c) meet all other requirements for membership as set forth in this Article or by the Board of Directors.

## Section 2: Privileges

- (a) Except as otherwise provided in these Bylaws, members shall be entitled to receive FOAC publications, attend and be heard at all meetings of FOAC, and exercise such other rights and privileges as may accrue to members of FOAC.
- (b) Members are entitled to vote for board members and all matters put before them by the Board of Directors and shall be entitled to hold any office of FOAC for which they are otherwise eligible.
- (c) Only those members who are in “good standing” - as described in Article IV, Section 1, (a), (b) and (c) - and who maintain a primary residence in the Commonwealth of Pennsylvania may serve on the Board of Directors.

## Section 3: Membership Expiration, Resignation Suspension and Expulsion.

- (a) Membership in FOAC shall automatically terminate on the date renewal payments to FOAC are due. If renewal dues are paid within 30 days of their due date membership will be restored as of their date of membership renewal.
- (b) A member (including board members and officers) may be suspended or expelled from membership in FOAC by a majority vote of the members recognized as being present, either physically or via electronic devices, at any regular meeting, for cause.
  - (b.1) Charges against a member may be brought by any member of FOAC in good standing. All charges must be made in writing, with supporting documents, if any, attached. Charges shall be submitted to the attention of the Secretary or President of FOAC.
  - (b.2) No vote on suspension or removal of a member or board 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 within 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 requests 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.

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

## ARTICLE V: THE BOARD OF DIRECTORS

Section 1: Powers and Duties: The governing body of FOAC shall be the Board of Directors. The Board of Directors shall supervise, control, and direct of the affairs of FOAC, its committees and communications. The principal duties of the board of directors shall include:

1. determine policies or changes (including rules and regulations for the conduct of its business),
2. oversee strategic planning,
3. actively prosecute the organization's approve goals and objectives,
4. facilitate the acquisition of resources for the organization,
5. suspend or remove a board member by a majority vote of the board,
6. supervise the disbursement of funds,
7. delegate certain of its authority to the Executive Committee as deemed appropriate, and
8. ensure that the operations of the organization are consistent with all applicable statutes.

Section 2: Composition: The Board of Directors shall consist of eleven (11) FOAC members in good standing as described in Article IV, Section 2(c).

Section 3: Term of Office: The term of office of a Director shall be four (4) years.

### Section 4: Election of Directors

(a) Elections shall be held in odd numbered years. Half of the Board of Directors, plus one shall be elected in alternate two years cycles. The balance of the board shall be elected in interim (two year) election cycles.

(b) A Nominating Committee shall be appointed to manage the election process. The Nominating Committee shall consist of three members of which only one (1) may be a member of the Board of Directors whose term is not expiring. 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, in the newsletter and the FOAC website prior to the December meeting.

(c) Voting may be conducted with either paper or digital 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. 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 4: 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 5: Voting.

All votes at meetings of the Board of Directors shall be cast either in person. A board member who is recognized by the President as participating in the meeting using communication technologies (video or audio) such as telephones (including conference call services) or Skype shall be deemed to be participating in person.

Section 6: Compensation of Directors

No director shall receive any salary or emolument unless specifically authorized by resolution of the Board of Directors.

Section 7: Expenses incurred on behalf of FOAC

Directors shall be entitled to reimbursement for expenses approved by the President or his / her authorized deputy.

ARTICLE VI: OFFICERS

Section 1: Number and Election.

The officers of FOAC shall comprise the Executive Committee and consist of a President, Chairman of the Board of Directors, 1<sup>st</sup> Vice-President, 2<sup>nd</sup> Vice President, Secretary, Treasurer elected from the Board of Directors at the December meeting for one-year terms. Officers must be members in good standing of FOAC, and have attained the age of at least 18 years. 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 FOAC.

Section 2: Powers and Duties.

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

(b) 1<sup>st</sup> Vice-President - perform the duties of the President and 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 President, the 1<sup>st</sup> Vice-President shall become President and shall serve for the balance of the

term. The 1<sup>st</sup> Vice-President shall perform such other duties as may be assigned to him by the President or Board of Directors.

(c) 2<sup>nd</sup> Vice-President - perform the duties of the 1<sup>st</sup> in his absence, at his request, or in the event of inability or refusal to act. In case a vacancy shall occur in the 1<sup>st</sup> Vice President, the 2<sup>nd</sup> Vice-President shall become 1<sup>st</sup> Vice President and shall serve for the balance of the term. A 2<sup>nd</sup> Vice president shall be appointed by the Board of Directors at the next board meeting. The 2<sup>nd</sup> Vice-President shall perform such other duties as may be assigned to him by the 1<sup>st</sup> Vice President.

(d) Secretary:

- Attend and keep minutes of all general membership meetings, the Board of Directors, the Executive Committee and special meetings.
- Ensure that all notices are given in accordance with the provisions of state law and these Bylaws.
- Be the custodian of all books, minutes, and records of FOAC.
- Attest to all official documents and resolutions of FOAC.
- Issue such credentials and indicia of membership as may be required by these Bylaws or as directed by the Board
- Facilitate all official correspondence.
- Be responsible for the overall management of the FOAC website

(d) Treasurer:

- receive, have in charge, and be responsible for all money, bills, notes, bonds, and like property coming into his possession belonging to FOAC.
- establish and maintain proper accounting standards for the handling of FOAC's funds,
- 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.
- report on the financial condition of FOAC at all meetings of the Membership, and perform such other duties as may be assigned to him from time to time by the President.
- file all reports of contributions and Expenditures of FOAC to the proper federal and state agencies.
- Be 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
- furnish a copy of such statement to the President,
- comply with fed and state regulations
- at the expiration of his term of office, the Treasurer shall promptly deliver over to his successor all books, money, and other property of FOAC in has charge, or, in the absence of a successor, he shall deliver such properties over to the President and report to state regarding change immediately

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 IV, Section 3 (b, c, d and e) of these Bylaws.

## ARTICLE VII: COMMITTEES

Section 1: Each board member shall be assigned one, or more, of the following Standing Committees by the President. Board members shall coordinate activities of these committees with the appropriate officer on the board as indicated in the parentheses following the committee description.

Section 2: Standing Committees shall include:

- Membership Committee – **Danielle Ohliger, Herb Ohliger**
- Elections Committee: **Mike Kozak, Herb Ohliger, John DeLallo**
- Technology Committee: **Kim Stolfer**
- Legislative Committee: **Mike Kozak, Craig Holdren, Mike Christeson,**
- Fundraising Committee: **Chris Smith**
- Program Committee: **Harry Lewellen, Roger Kronz**
- Regional Committees: **Bob Oles (West) & Leon Baker (East)**

Section 3: Special Committees - The President shall establish such special committees, as he deems necessary for the conduct of the affairs of FOAC, and shall appoint the members thereof. The President will charge special committees with specific tasks. Tasks will be limited in scope and not exceed six (6) months duration unless otherwise approved by the board.

## ARTICLE VIII: MEETINGS

Section 1: Regular Meetings: A 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 2: Meetings of the Board of Directors: The Board of Directors shall meet to transact business of FOAC not less often than quarterly, provided that 2 weeks notice is given each director unless waived by a majority of the directors.

Section 3: Annual Meetings: During the month of December of in each odd-numbered year FOAC 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 these Bylaws or as adopted by the board.

Section 4: Special Meetings: Special meetings of FOAC may be held at any time, upon the call of the President or upon petition of 15 members in good standing of FOAC, 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 6: Special Meetings – Board of Directors: The President 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, email or telephone 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.

Section 7: Quorum: A quorum shall consist of a majority of the members of the Board of Directors at any annual, regular, board or special meeting.

Section 8: Proxy voting is prohibited at any meeting.

#### ARTICLE IX: FINANCE

Section 1: Fiscal Year: The fiscal year of FOAC shall be the calendar year.

Section 2: Expenditures: The President is authorized to approve expenses up to a limit set by the Board of Directors. Any expenditure above such limit shall require approval by the Board of Directors.

#### ARTICLE X 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 XI: SEAL.

FOAC may have a seal bearing the words “Firearm Owners Against Crime” The Official Seal that is imprinted upon the title page of these Bylaws is the seal of FOAC.

#### ARTICLE XII: DISSOLUTION

FOAC 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 FOAC. Upon dissolution of FOAC, after the payment of all outstanding indebtedness of FOAC, including unpaid loan capital however evidenced, any funds remaining shall be distributed to one or more organizations having a similar mission, goals and objectives.

#### ARTICLE XIII: 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 FOAC 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 FOAC 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)

Revised February \_\_, 2013 (clarify mission and responsibilities, updated for technology utilization, additional board members, standing committees and assignments)