



ABATE OF NEW YORK

a 501(c)(4) not-for-profit Social Welfare organization

By-laws

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ABATE OF NEW YORK, INC. BY-LAWS

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ARTICLE I - AIMS AND PURPOSES

- A. To review and inform our members about federal, state, and local levels of government motorcycle legislation and to promote favorable motorcycle legislation regarding the following:
 1. Insurance
 2. Licensing
 3. Modifications
 4. Bans
 5. Restrictions
 6. Emissions
 7. Noise levels
 8. Rights
- B. To improve road conditions thus making roads safer for motorcyclists.
 1. Alerting the D.O.T. of dangerous roadway conditions.
- C. To help prevent accidents through education.
 1. Promote motorcycle awareness programs for all motorists.
 2. Promote rider education courses for motorcyclists.
 3. To work towards equitable insurance coverage.
- D. To promote positive community relations.
 1. Active participation in activities benefiting the common welfare of the community.
 2. Active participation in events sponsored by/for charitable organizations.
- E. To promote political involvement of motorcyclists.
 1. Informing members how elected or appointed government representatives voted on legislation affecting motorcyclists.
 2. Encouraging members to register and vote.
 3. Encouraging qualified members to run for public office.
 4. Encouraging members to write their representatives at federal, state, and local levels, on all issues concerning motorcycles: Favorable or Unfavorable.
 5. Attending motorcycle events and distributing information on current status of motorcycle legislation. Report on elected officials at all levels of government who approve or disapprove of said legislation.
 6. To act as an information source to help discourage discrimination against motorcyclists.
- F. To act as a legislative liaison between motorcyclists and government authorities, police departments, government agencies, insurance companies, and other organizations.
- G. To report and discourage biased news reporting of motorcyclists.
- H. To present and promote a better public image of motorcyclists.
 1. Keeping ABATE of NY, Inc. sponsored events orderly and peaceful.

ARTICLE II - MEMBERSHIP

- A. Memberships shall be open to ALL people regardless of race, creed, color, sex, or affiliation with any other organization or club, who are interested in motorcycling legislation or furthering the Aims and Purposes of ABATE of NY, Inc. There shall be no restrictions as to a member owning a motorcycle. There shall be no restrictions as to any brand, make, or size of motorcycle.
- B. Members may join through the ABATE of NY, Inc. State Office or through any recognized Chapter of ABATE of NY, Inc. Members who join ABATE of NY, Inc. through a Chapter shall receive a temporary membership card or receipt. Members will receive the ABATE of NY, Inc. membership card/packet from the ABATE of NY, Inc. State Office. Chapter affiliation will be printed on the State issued card.
- C. Each Chapter shall recognize current ABATE of NY, Inc. State issued membership cards, regardless of Chapter affiliation, as being that of ABATE of NY, Inc. and due the full benefits thereof.
- D. It shall be encouraged and promoted that new members join through their local chapter. However, members shall not be restricted from joining one or more chapters in the State or through the State Office, whether it is the closest chapter to them or not. Member affiliation in multiple chapters shall not receive a discount in the cost of membership.

- E. Motorcycle clubs, businesses, or organizations may join as a sponsor of ABATE of NY, Inc. This entitles said sponsor to a certificate with the sponsor's name imprinted on it and a State newsletter, with their name being published (each printing) as a sponsor of ABATE of NY, Inc. This sponsorship does not include membership benefits or endorsement of said sponsors by ABATE of NY, Inc.
- F. Full membership shall entitle a member to a membership card and packet, which shall be provided by the ABATE of NY, Inc. State Office. It also entitles the member to a State Newsletter
- G. Associate memberships shall be extended all benefits allowed that of a Full Membership except for a State Newsletter. Associate memberships are for additional members of a Full Member's household (same address). Recognized chapters of ABATE of NY, Inc. shall not have the option of rejecting applications for Associate membership.
- H. Life membership shall entitle a member to all of the benefits of a Full member.
- I. Membership of ABATE of NY, Inc. shall be terminated upon:
 - 1. Written resignation delivered to a Chapter or a State Officer, in person or by the U.S. Postal Service by Registered or Certified mail.
 - 2. Death of the member. The balance of the year may be extended, as a courtesy, to the spouse. Life Memberships are not transferable.
 - 3. Failure to renew membership within 60-day grace period, of member's expiration date. If the member failing to renew their membership is an Officer of ABATE of NY, Inc., their office/position shall be considered vacated.
 - 4. A majority vote of the ABATE of NY Inc. State Board. Member shall receive written notice of pending termination and be given an opportunity to be heard by the State Board. Grounds for termination are based on one or more of the following reasons:
 - a. Member has violated the ABATE of NY, Inc. State by-Laws.
 - b. Member has committed an act(s) that are prejudicial to the Aims and Purposes of ABATE of NY, Inc.
 - c. Member has jeopardized the welfare of ABATE of NY, Inc. or its members.
 - 5. Terminated member shall forfeit any dues paid.
- J. Chapter Officers may recommend the termination of a member, to the State Board, using the criteria stated in Art. II (Membership), Sec. I, Sub. 4.
- K. Members shall not have voting rights or other statutory membership rights or powers. All membership voting rights or other statutory membership rights or powers shall be exercised by the Chapters and not by the individual members.

ARTICLE III - CHAPTERS

- A. Each Chapter shall be sanctioned and issued a Charter by the State Board at the beginning of each New Year. The Chapter shall be responsible for:
 - 1. Having a minimum of five (5) current, active members.
 - 2. Holding a minimum of one (1) regular monthly meeting.
 - 3. Election of Officers, to be held in November of each year.
 - 4. Forwarding to the State Office, the required monthly reports by the third week of the following month.
 - 5. Record keeping of all finances in ink, or typed in a permanent bound ledger, an electronic word processing or text editing format, or spreadsheet application.
 - 6. Forwarding all monies due the State as stated in Art. IV (Dues), Sec E.
 - 7. Maintain a checking account, titled "ABATE of NY, Inc. Chapter", with State President as co-owner of account.
 - 8. Maintain a Chapter Post Office Box.
 - 9. Sending a minimum of one representative to each regularly scheduled State Chapter meeting. Said representative can appear physically (in person) at the State Chapter meeting location, or when technically possible attend via electronic communication, whereby the representative can commutate equally as well as the people in physical attendance.
 - 10. Any Chapter not in compliance with the above stated requirements shall be considered "Not in Good Standing" by virtue of a majority vote of the State Board, acting upon a motion made regarding the status of the Chapter in question.
- B. A Chapter "In Good Standing" has met all of the requirements in Art. III (Chapters), Sec. A.
- C. A Chapter that has been deemed "Not in Good Standing", shall:

1. Have no voting privileges at any State or Regional Meeting.
- D. Any action taken against a chapter for failure to comply with the above stated requirements must first be reviewed by the State Board and all possible efforts made to remedy the problem.
1. All members of said chapter will be notified of their Chapter Officers failure to comply.
 2. The State Board may freeze the Chapters assets.
 3. The State Board may place the Chapter in "Not in Good Standing" status.
 4. The State Board may bring the Chapter up for termination as stated in Art. V - Chapter Termination.
- E. All records in Art. III (Chapters), Sec. A, Subs. 4, 5 and 7, are the property of ABATE of NY, Inc. and must be accessible for review at any time by the State Board. Failure to do so can result in legal actions at the Chapters expense.
- F. New Chapters:
1. Potential Chapters for ABATE of NY Inc. may be formed by the Region Coordinators and any other State Board officer. Upon recommendations to the State Board, the new Chapter representatives must present themselves at the next regularly scheduled State Board or State Chapter Meeting for approval and sanctioning.
 2. Must have five (5) or more individuals that are interested.
 3. All of Art. III (Chapters), Sec. A.
 - a. Newly formed Chapters must form a Chapter Board, composed of five (5) individuals filling the following positions: President: Vice-President: Secretary. Treasurer and Legislative Coordinator.
 4. Chapter Affiliation Dues shall be waived for the first year.
 5. May request, through their Region Coordinator, Two Hundred Fifty Dollars (\$250.00) in "Start-Up Funds" from the State Board. Advanced funds are to be repaid to the State Board within six (6) months.
- G. Chapters do not have the option of adopting Chapter By-Laws.
- H. Pursuant to applicable law, chapters may not own real estate.

ARTICLE IV - DUES

- A. A Full Membership shall be for one (1) year. Cost to be determined by State Policy.
- B. An Associate Membership shall be for one (1) year. Cost to be determined by State Policy.
- C. A Lifetime Membership shall be for life. Cost to be determined by State Policy.
- D. An ABATE of NY, Inc. Sponsorship shall be for one (1) year. Cost to be determined by State Policy.
- E. Chapter Affiliation Dues for ABATE of NY, Inc. shall be determined by state policy for one year. (Payment of Dues shall be no later than January 31st of each year.)
- F. Chapter shall forward to the ABATE of NY, Inc. State Office:
 1. All Membership money.
 2. All ABATE of NY, Inc. State Newsletter Sponsorship money.
 3. Any chapter having less than Two Hundred and Fifty Dollars (\$250.00) in their treasury may submit to the State Board a request, in writing, an electronic mail (e-mail) message to the State Board treasurer is also acceptable. Must be repaid within six (6) months.

ARTICLE V - CHAPTER TERMINATION

- A. Chapters may be reviewed for termination by the State Board, based on:
 1. Failure to fulfill all Chapter requirements specified in Art III (Chapters).
 2. Failure to show activity for the period of six (6) months.
 3. The Chapter or any Chapter Officer has committed an act or acts that is prejudicial to the Aims and Purposes of ABATE of NY, Inc. or contrary to the State By-Laws.
- B. A Chapter may be dissolved or terminated only after reasonable effort has been made to retain said Chapter by the State Office, Region Coordinator and the State Board. All members of the Chapter shall be notified, in writing, and/or electronic mail (e-mail) message of the pending termination by the State Board.
- C. If in the event a Chapter is dissolved or terminated, said Chapter's membership shall remain members of ABATE of NY, Inc. and continue to be entitled to all benefits thereof. The State Office shall upon a members request re-affiliate said members with a chapter of their choosing.
- D. If in the event a Chapter is dissolved or terminated, said Chapter is required to and shall surrender to the ABATE of NY, Inc. State Office, all funds and assets (Including the Chapter Treasury), all paperwork and information (Including: ABATE of NY, Inc. books ledgers, journals, membership lists, etc.) and all Chapter

equipment purchased with Chapter or State Funds. If a Chapter fails to surrender to ABATE of NY, Inc. the assets and information set forth above, the State President is authorized, either personally or through agents, to take all necessary steps to obtain the assets and information. The dissolved Chapter shall have no recourse or claim against any party that delivers the assets and/or information to the President or his agent.

- E. The Chapter shall be dissolved and affiliation with ABATE of NY, Inc. shall be terminated on the fifth day after notice has been mailed by certified mail to the Chapter post office box (or, if none, then to the last known address of the last Chapter president).

ARTICLE VI - MEETINGS

A. Chapter Meetings:

1. ABATE of NY Inc. Chapters shall hold a minimum of one (1) membership meeting per month, to be open to the public.
2. ABATE of NY Inc. Chapters shall hold a minimum of one (1) officers meeting per month, to be open to the membership.
3. All meetings should be run with "Roberts Rules of Order"
4. Alcoholic Beverages shall be discouraged at Chapters meetings.
 - a. Chapter funds shall at NO time be used to purchase alcohol at the Chapter membership meeting.
 - b. Any member coming into a chapter meeting who is visibly intoxicated shall be refused admittance.

B. State Chapter Meetings:

1. State Chapter Meetings, consisting of one or more representatives of each of the Chapters and the State Board, shall convene on the third Saturday February, May, August, November and the Sunday before the Freedom Rally in May.
 - a. Chapter representatives shall be a recognized officer of said chapter or be a member of said chapter with written authorization to represent the Chapter.
 - b. All Chapters shall receive a Chapter Place Card - To be used to identify the voting member of said Chapter.
2. State Chapter Meetings shall be open to All ABATE of NY, Inc. Members, providing room is available. Chapter Officers shall be seated in the front of the room (2 representatives per chapter) and all others shall be seated in the rear of the room.
3. NO ALCOHOLIC BEVERAGES will be permitted during a State Meeting. Any member coming into a State Meeting who is visibly intoxicated shall be refused admittance.
4. Minutes of each State Meeting shall be sent to each Chapter, State Board Officer, and the State Office, no later than three (3) weeks after said meeting by the "State Secretary".
5. The Agenda for each State Meeting must be sent to each Chapter, State Board Officer, and the State Office, no less than two (2) weeks prior to said meeting. By the "State Secretary".
6. All State Meetings should follow "Roberts Rules of Order".
7. A roll call will be taken at the beginning of all meetings to verify "Chapter in Good Standing" status and Chapters present.
8. No chapter shall have a vote on any state issue unless they are in Good Standing.

C. State Board Meetings:

1. State Board Meetings, consisting of all State Board Officers and shall convene on the third Sunday of every third month. (March, June, September, December, and the Saturday before Father's Day in June). Also prior to every State Membership Meeting. (February, May, August, November.) To be held at the same location, one hour prior to the State Chapter Meeting.
 - a. State Board meetings held prior to State Chapters meetings are to be in one contiguous block of time. Once a motion is made to end a State Board meeting, the official State Board meeting business has ended and no other actions shall take place regarding State Board business. At no time shall a second State Board meeting be held immediately after the conclusion of a State Chapters meeting, unless it is a previously scheduled Special Board Meeting, and adheres to all of the rules specified in Article VI, Section C.4.
2. State Board Meetings shall be open to all ABATE of NY, Inc. members, as observers. (Seating may be limited due to space availability.)
 - ~~a. Meetings may be attended either in person or virtually via whatever technological solution is made available to the membership, such as Web conferencing and/or telephone conferencing.~~
 - ~~a. One or more members of the Board of Directors or any committee thereof may participate in a~~

meeting of such Board or committee by means of a conference telephone or similar communications equipment or by electronic video screen communication. Participation in a meeting by such means shall constitute presence in person at the meeting as long as all persons participating in the meeting can hear each other at the same time and each director can participate in all matters before the board or committee.

3. No alcoholic beverages will be permitted during a State Board Meeting. Any officer or member coming into a meeting who is visibly intoxicated shall be refused admittance.
 4. Special Meetings may be called by the State Board if it is required by urgent demands. All conversations pursuant to the Special topic must be recorded and made available for future review.
 - a. Notification of an emergency meeting, called by the State Board, shall be given to the Chapters within ten (10) days of occurrence. Such notification shall be written and sent via mail and shall include minutes of the meeting and any determinations that were made during the meeting. If said notification is not made, the decision of the board shall be non-binding on the chapters until a chapter vote is taken.
 - b. An effort to contact all Board Officers MUST be made. Failure to attempt to contact ALL Board Officers shall null and void any decisions made at said meeting. Three attempts to contact via telephone shall be sufficient.
 - c. All Board Officers MUST be given five (5) day's notice and time to attend.
 - d. Any Board Officer may go on record as refusing to accept the urgency of said meeting. If a majority of the Board Officers refuse to accept the urgency of the Emergency Meeting, the vote on that subject is postponed until the next regularly scheduled State Board or State Meeting.
 - f. Every reasonable effort should be made to postpone any decision making to a regularly scheduled State Board or State Meeting.
 5. Minutes of ALL State Board Meetings shall be sent to all Chapters, State Board Officers and Committee Heads, and a copy to be filed at the State Office by the "State Secretary".
 6. Regularly scheduled Board Meetings shall format an Agenda for the upcoming State Meeting. To be compiled by the "State Secretary".
 7. All State Board Meetings should follow "Roberts Rules of Order".
- D. Regional Meetings:
1. All Regional meetings should consist of a representative from each Chapter located in the specified region, the Regional Coordinator, the District Coordinator(s) and Regional Legislative Coordinator, and should convene on the third week of every third month. (January, April, July, October)
 2. Regional Meetings shall be open to all ABATE of NY, Inc. members.
 3. Alcoholic beverages should be discouraged at the Regional meetings. Any member coming into a Regional Meeting who is visibly intoxicated shall be refused admittance.
 4. Copies of the Regional meeting minutes shall be made available to all chapters within the Region, State Board Officers, and a copy to be put on file at the State office, no later than two (2) weeks after said meeting.

ARTICLE VII - EXPENSES AND REIMBURSEMENTS

- A. Chapters: All expenses and reimbursements shall be verified by the Chapter Treasurer and recorded in the Chapter's ~~bound ledger~~ financial records along with the purpose of the expense or reimbursement. (A bill or receipt must be included.)
- B. State: All expenses and reimbursements shall be verified by the State Treasurer or State Office and recorded in the State's bound ledger. (A bill or receipt must be included.) ~~All~~ Any expenses in question must be approved by the State Board.
 - a. ~~Inclusion~~ Must be included in the approved State Budget [See Article VIII].
 - b. Emergency purchases will be allowed with proper receipts and explanations.
 - e. ~~Gasoline expenses will be reimbursed for State Board travel to and from ABATE functions.~~
- C. Seminars: All expenses for seminars must be pre-approved thirty-five (35) days in advance of said seminar, by the State Board. Requests for expense reimbursements are subject to approval by the State Board, and are in no way guaranteed to be fulfilled

ARTICLE VIII - BUDGET

- A. A proposed State Budget shall be submitted to the Chapters at the August State Meeting for their review. Said budget shall then be put on the State-agenda for the November State Chapter Meeting to be voted on.
- B. The State Budget shall be prepared by the State President and the State Treasurer based on the previous years budgets of all the State Board Officers.
- C. The approved State Budget shall take effect January 1st of the following year.
- D. In the event that the State Budget is not approved, a revised budget must be presented to the Chapters at the February State Chapter Meeting. (The previous year's budget shall be the contingency budget.)

ARTICLE IX - VOTING

- A. General Voting Procedures:
 1. Programs sponsored by ABATE of NY, Inc. and policies being representative of ABATE of NY, Inc. must be voted on and approved by a majority of Chapters in "Good Standing", before being enacted. All votes by the Chapters must be at regularly scheduled State Meetings.
 2. Voting on ABATE of NY, Inc. Business shall take place only at an official State Chapter Meeting.
 3. Proxy votes shall be acceptable on issues on the State Agenda. Proxies must be in writing and signed by a Chapter officer and must be read into the roll call vote. Proxies may be in the form of an electronic document and signed with an electronic signature. Proxies may be submitted by electronic transmission so long as it includes information from which it can be determined that the transmission was authorized by the Chapter. Proxies shall be valid only for a single meeting and shall expire at the conclusion of the meeting. A proxy may be held only by a person who is a voting member of the Chapter issuing the proxy.
 4. Votes may be cast by a representative of a Chapter with the approval of the officers of their respective Chapter. (See Art. III, Chapters.)
 5. All events sponsored by ABATE of NY, Inc. being representative of ABATE of NY, Inc. shall be voted on before being enacted.
 6. During discussion on a vote, a maximum of twenty (20) minutes will be allocated for discussion on each topic.
- B. State Board Meetings:
 1. Each Board Member has one (1) vote.
 2. State Committee Heads have no vote.
 3. A two thirds vote of the Board can veto a Chapter vote, forcing a Chapter re-vote at the next State Meeting. A maximum of only one (1) veto per topic.
 4. A minimum of fifty-one percent (51%) of Board Officers must be present for any voting to take place.
- C. State Chapter Meetings:
 1. Each Chapter has one (1) vote.
 2. During a State Chapter Meeting, when a Region report is given, any items that require a vote will be made into a motion and be discussed at this time. Voting on all motions shall take place at the next State Chapter Meeting.
 3. Attendance shall be taken at all State Chapter Meetings, and voting will be done by Roll Call vote. The officer or representative of each Chapter shall state their vote. All votes shall be noted in the Minutes by: Chapter, and how they voted.
 4. The Election of State Officers shall be the only Secret Ballot allowed. No elected or Nominated State Officer may count Secret Ballot votes.
 5. Votes may be cast by representatives of Chapters in Good Standings, with the approval of the Officers of their respective Chapter.
 6. A quorum shall consist of five (5) Chapters in "Good Standing" present.

ARTICLE X - CHAPTER OFFICERS AND APPOINTED POSITIONS

- A. Chapter's Elected officers shall consist of and be responsible for:
 1. President:
 - a. Article II, Section A (Chapters)
 - b. Article VI, Section A (Chapter Meetings)
 - c. Article IX, (Voting)

- d. Shall preside over all meetings, events and functions unless specified otherwise.
2. Vice President:
 - a. All duties and functions as Chapter President if the Chapter President cannot complete their term of office.
 - b. Shall preside over all meetings, events and functions in the absence of the President unless specified otherwise.
 - c. Shall be ex-officio member on all Chapter Committees.
3. Treasurer:
 - a. Article III, Section A, Subsection 4, 5, 6, 7, 8, 9 (Chapter requirements).
 - b. Article IV, (Dues).
 - c. Article VII, Section A (Expenses and Reimbursements).
 - d. Shall give a report to the Officers and Membership of their Chapter on a monthly basis or as requested by the Chapter President.
 - e. Must be bondable.
4. Secretary - Shall be responsible for recording and reporting all minutes, correspondence, and agendas as required by the Chapter.
5. Membership:
 - a. Article IV, Sections A, B, C (Membership Dues).
 - b. Article II, Sections A, B, E, F, G (Memberships).
 - c. Shall collect and record all information in regards to memberships within the Chapter.
 - d. Shall turn over all membership monies to the Chapter Treasurer.
 - e. Shall give a report to the officers and membership of their chapter on a monthly basis.
6. Legislative Coordinator:
 - a. Maintain communications between Region and State Legislative Coordinators.
 - b. Inform and pursue Article I, Sections A, C, D, E, F (Aims and Purposes).
 - c. Shall give a report to the Officers and Membership of their Chapter on a monthly basis.
7. Sergeant-at-Arms:
 - a. Shall maintain order at all meetings, events and functions.
 - b. Shall request legal assistance in any situation that requires physical action. (Discretion should be used at all times.)
 - c. Shall inform the President of any action that needs to be pursued further by the chapter.
- B. Chapters are empowered to elect or appoint these Officers and they shall be responsible for:
 1. Newsletter Editor - Should be encouraged to produce a monthly publication containing:
 - a. Chapter Meeting Minutes.
 - b. Articles promoting the Aims and Purposes of ABATE of NY, Inc.
 - c. Officer information and articles, can include: Membership report, Treasurer's report, President's column, Legislative Column, Calendar of Events, Etc.
 - d. Any additional Chapter requirements.
 - e. The Editor shall have the authority to edit any article or information found detrimental to the Aims and Purposes or welfare of ABATE of NY, Inc.
 2. Products Officer:
 - a. Maintaining a supply of ABATE of NY, Inc. products.
 - b. Keeping accurate records of all transactions and work in conjunction with the Treasurer of said Chapter.
 3. Public Relations:
 - a. Article I, Section G.
 - b. Shall promote any/all Chapter events and accomplishments.
 4. Road Captain - Job description shall be defined by the needs of the individual Chapter, and may include the following:
 - a. Planning routes for Runs.
 - b. Keeping motorcycles moving in a safe and orderly fashion during the course of the runs.
 - c. Notifying local Police Departments that a Run will be held in their Jurisdiction and requesting an escort if necessary.
 5. Chapters may delete above positions or design other positions to meet their individual needs.
- C. Prerequisite for Election or Appointment to a Chapter Officer position:
 1. Must be Active at the time of nomination and election and/or appointment.

2. Must be bondable if needed.
3. Member must not have been terminated from a Chapter affiliation at any time.

ARTICLE XI - ELECTED STATE BOARD OFFICERS

- A. President - Shall be responsible for:
 1. All obligations of a New York State 501-c(4) Corporation's CEO (President) allowed by law.
 2. Managing and Coordinating all programs designed by ABATE of NY, Inc., except where specified otherwise.
 3. Presiding over all State Board Meetings and State Meetings.
 4. Pursuing the Aims and Purposes of ABATE of NY, Inc.
 5. Shall have the authority to request from ANY State or Chapter Officers, at any time, records or information needed to fulfill their corporate obligations as required by law or the By-Laws of ABATE of NY, Inc.
 6. Article VIII, Section A, (State Budget).
 7. Shall have one (1) vote during all State Board votes.
 8. Must be bonded.
- B. Vice President - Shall be responsible for:
 1. All duties of the State President if he/she cannot complete his/her term of office.
 2. Shall preside over all meetings, events and functions in the absence of the President unless specified otherwise.
 3. Shall be ex-officio member on all State level committees.
 4. Shall have one (1) vote during all State Board votes.
 5. Must be bonded.
- C. State Treasurer - Shall be responsible for:
 1. All financial reporting in accordance with New York State Not For Profit Corporation Law and the Internal Revenue Code.
 2. Depositing all funds due to ABATE of NY, Inc., Article IV (Dues).
 3. Recording and reporting to the State Board and all Chapters on a quarterly basis, all requested fiscal information.
 - a. Article VII Expenses and Reimbursements)
 - b. Article VIII (State Budget)
 4. Shall have the authority to obtain, at any time, any/all treasury records/statements from any Chapter of ABATE of NY, Inc. to fulfill their corporate obligations as required by law.
 5. Shall have one (1) vote during all State Board votes.
 6. Must be bonded.
- D. State Legislative Coordinator - Shall be responsible for:
 1. Maintaining communications between Region and Chapter Legislative Coordinators.
 2. Inform and pursue the Aims and Purposes of ABATE of NY, Inc.
 3. Shall give a report to the State Board and the Chapters at all regularly scheduled State Meetings.
 4. Shall be responsible for coordinating all ABATE of NY, Inc. State legislative efforts. Any and all legislative action must have the approval of the State Board. All legislative information is to be funneled through the State Legislative Coordinator. All relevant New York information must have the approval of the State Board prior to distribution. All directions to Chapters and members for any kind of legislative action must be understood and approved by the State Board.
 5. Shall assist the State Board in preparing a State Legislative Agenda.
 6. Shall have one (1) vote during all State Board votes.
- E. Region Coordinators - Shall be responsible for:
 1. Presiding over region meetings.
 2. Reporting between Chapters and the State Board any/all information necessary to maintain communication between said groups.
 3. Coordinating the formation, suspension and termination of any Chapter of ABATE of NY, Inc.
 4. In the event that a Region Coordinator cannot fulfill their term, they can be replaced temporarily by a District Coordinator, as long as the he or she meets the requirements for a State Board officer, for their respective Region. The Region can hold a special election to fill the State Board seat at the next

- regularly scheduled Region Chapter Meeting. The temporary Region Coordinator shall have no vote until the Special Election and approval by the State Board, whereupon the newly elected Region Coordinator shall then have one (1) vote during all State Board votes.
5. Facilitating communication within the Region as well as giving advance warning of failing Chapters and Chapters that have lost their "Chapter in Good Standing" status.
 - a. Shall receive copies of all correspondence sent to any chapter pertaining to chapter status.
 - b. Shall receive Updated Chapter membership lists, for their respective Chapters, on a semi-annual basis.
 6. Shall have one (1) vote during all State Board votes.
 7. Responsible for instituting New Chapters in their region.
- F. State Recording Secretary - Shall be responsible for:
1. Recording the minutes of all State Board Meetings and State Chapter Meetings.
 2. Transcribing and forwarding to all State Board Officers, Chapters and the State Office, the minutes of said meetings within two (2) weeks.
 3. Formatting and forwarding a State Meeting Agenda within two (2) weeks following a State Board Meeting.
 4. Must have basic typing and recording skills.
 5. Shall have one (1) vote during all State Board votes.
 6. Responsible for all State Correspondences.
- G. Sergeant-at-Arms - Shall be responsible for:
1. Impartially maintaining order at all, State Board and State Meetings and coordinate security at State sponsored events.
 2. Shall assist the State Board, as needed, to conduct business.
 3. Shall have one (1) vote during all State Board votes.
- J. Public Relations - Shall be responsible for:
1. Shall promote any and all State Events and Accomplishments.
 2. Shall be responsible for all press releases issued by the State President, Legislative Coordinator, and State Secretary.
 3. Shall comprise a list of media contacts.
 4. Shall maintain communications between the State and Chapter Public Relations Person(s).
 5. Shall have one (1) vote during all State Board votes.
- K. Board of Directors:
1. The State Board shall be deemed the board of directors (as that term is used in applicable law). Except as otherwise provided by law, the certificate of incorporation of the corporation or these by-laws, the activities, property and affairs of the corporation shall be managed by the State Board.
 2. The State Board shall consist of the officers set forth in Sections A through J of this Article XI. The number of directors shall be deemed to be fixed at the number officers elected at each meeting for the election of officers plus the number of other officers then in office. The officers set forth above shall be deemed elected as directors upon their election as officers.
 3. The Prerequisites for election to the State Board are:
 - 1a. Must be an active member of ABATE of NY, Inc., for a minimum of two (2) years.
 - 2b. Must have been an elected officer of a "Chapter in Good Standing" for a minimum of one (1) year.
 - 3c. Member must not have been terminated from a Chapter affiliation at any time.
 - 4d. Must be bondable for State Board positions if needed.
 - 5e. Must allow Name and Phone number publication.
 4. ~~6~~ Attendance is required at ALL State Board and State Chapter Meetings.
 5. The directors shall be divided into two classes. One class shall consist of the President, Treasurer, Recording Secretary, and Public Relations officers, to be elected for two-year terms commencing with the election to be held in 2016. The other class shall consist of the other officers set forth above, to be elected for two-year terms commencing with the election to be held in 2017.
 6. One or more members of the State Board or any committee of the State Board may participate in a meeting of such Board or committee by means of a conference telephone or similar communications equipment or by electronic video screen communication. Participation in a meeting by such means shall constitute presence in person at the meeting as long as all persons

participating in the meeting can hear each other at the same time and each director can participate in all matters before the board or committee.

ARTICLE XII - REGION OFFICERS.

- A. Region Legislative Coordinators: Shall be responsible for:
 - 1. Maintaining communications between the State and Chapter Legislative Coordinators.
 - 2. Informing and pursuing the Aims and Purposes of ABATE of NY, Inc.
 - 3. Shall give a report to the State Legislative Coordinator and the Region Chapters at all regularly scheduled Region Meetings.
 - 4. Coordinating ABATE of NY, Inc.'s Region legislative efforts and receiving all information from said efforts.
 - 5. Shall each have no vote.
- B. District Coordinators - Shall be responsible for:
 - 1. All duties and functions of the Region Coordinator if they cannot complete their term of office.
 - 2. Shall preside over all meetings, events and functions in the absence of the Region Coordinator unless specified otherwise.
 - 2. Shall each have no vote.

ARTICLE XIII - STATE COMMITTEES

- A. Prerequisites for appointment to a State Committee are:
 - 1. Must be an active member of ABATE of NY, Inc., for a minimum of one (1) year.
 - 2. Must have been an officer of a "Chapter in Good Standing" for a minimum of one (1) year.
 - 3. Member must not have been terminated from a Chapter affiliation at any time.
 - 4. Members being reviewed for appointed position MUST be presented to the State Board, in person, at the January Board Meeting.
 - 5. Any Committee position vacated during the course of the year may be filled by the State Board.
 - 6. Must allow Name and Phone number publication.
 - 7. State committee's may consist of but not limited to; State Safety initiatives, State fundraisers, State Party.
- B. Committee Head Responsibility:
 - 1. All committee chairs are to report to the Vice President all decisions and recommendations made by the committee
 - 2. Approval of the state board is required before any information is disseminated to the membership.

ARTICLE XIV - ELECTIONS

- A. Chapter Elections:
 - 1. Nomination of officers shall be no later than October of each year.
 - 2. Nomination of officers shall be repeated, and revised if appropriate, at the beginning of November meeting.
 - 3. Election of Officers shall be by Secret Ballot or Write-In Ballot.
 - 4. Tallying of election votes shall be overseen by two trusted members. No elected or nominated officer shall tally votes.
 - 5. Members may run for only one (1) elected Chapter Officer position.
 - 6. Elected Chapter Officers may also be appointed to vacant positions except for the following combination:
 - a. President / Vice President
 - b. President / Treasurer
 - 7. Vacant positions can be appointed by the elected board of said chapter.
- B. State Elections:
 - 1. Nomination of officers shall be in August of each year.
 - 2. Nomination of officers shall be repeated, and revised if appropriate, at the beginning of the November State Chapter meeting.
 - 3. Election of Officers shall be at the November State Chapter Meeting, by secret ballot, if necessary.

- a. All Chartered Chapters, not under review for termination, may vote.
- b. All eligible Chartered Chapters may vote only if they are a chapter in: "Good Standing" status.
4. No elected or nominated officer shall tally votes. Votes will be tallied by One (1) Chapter President (in good standings) from each region.
5. ~~No State Officer individual may hold more than one State Office simultaneously may carry more than one (1) title.~~
6. There shall be no limit to the number of terms any officer may run for.
8. The number of State Officers elected shall correlate with those listed in Article XI (State Board Officers).
9. Region Coordinator Elections - Region Coordinator shall be nominated and voted on in conjunction with the State Elections. Chapters may vote only for their respective Region Coordinator at the November State Chapter Meeting.

ARTICLE XV - IMPEACHMENT

A. Grounds for Impeachment of an Officer. Officer has:

1. Violated the ABATE of NY, Inc. State By-Laws.
2. Committed an act(s) that prejudicial to the Aims and Purposes of ABATE of NY, Inc.
3. Intentionally jeopardized the welfare of ABATE of NY, Inc. or its members.
4. Said Officer is no longer bondable, if required.
5. A Conflict of Interest (See Article XIV, Section F).
6. Has knowingly and willfully supported and/or supplied inappropriate material (deemed so by a majority vote of the State Chapters), to any Social, audio and/or video media platform(s) available to the general public.

B. Officer Resignation:

1. The State Board may, by a majority vote at a regularly scheduled State Board Meeting, request the State Board Officer's resignation.
2. The Chapters may, by a majority vote at a regularly scheduled State Chapter Meeting, request the State Board Officer's resignation.
3. The State Board may, by a majority vote at a regularly scheduled State Board Meeting request a Chapter Officer's resignation.
4. The Chapter membership may, by a majority vote at a regularly scheduled Chapter Meeting, request a Chapter officer's resignation.
5. A request for an Officer's resignation must be in writing. The Officer has thirty (30) days to respond to any/all allegations made against them. Said Officer may request a hearing in front of the appropriate board for review.

C. Refusal of Officer to Resign:

1. The State Board may, by a majority vote, vote to impeach the State Board Officer.
2. The Chapters may, by a majority vote, vote to impeach the State Board Officer.
3. The State Board may, by a majority vote, vote to impeach the Chapter Officer.
4. The Chapter membership may, by a majority vote, vote to impeach the Chapter Officer.
5. Any Officer in the process of impeachment loses all voting rights. Any access to ABATE of NY, Inc. finances shall be frozen or rescinded immediately.
6. Notification of Impeachment must be given in writing. The grounds for the impeachment must be clearly stated, citing the cause(s), date of request for resignation, findings of the appropriate board review, and the date of the vote to impeach said officer.

F. As more fully set forth in, and not in limitation of, the Conflict of Interest Policy of ABATE of NY, Inc. and applicable law, the Procedure to resolve a Conflict of Interest shall include the following:

1. Evidence of conflict presented to the State Board.
2. Statement from Officer(s) involved.
3. Preview of facts by State Board Officers excluding those involved.
4. Determination by the State Board to be brought to the membership at the next regularly scheduled State Meeting.

5. The State Board has the obligation, by law, to protect the integrity of the corporation and may temporarily remove certain access to monies, records, etc. from the parties involved.

ARTICLE XVI - INSIGNIAS

- A. The official ABATE patches are the only emblems recognized by ABATE of NY, Inc. as being representative of ABATE of NY, Inc.
- B. The official ABATE of NY, Inc. patch is not to be worn or displayed as to appear as "Colors", worn or displayed as a full size back patch giving this organization a club image.

ARTICLE XVII-MEDIA

A. Unauthorized use of the acronym ABATE or the phrase: "American Bikers Aimed Toward Education" on any ABATE member's personal production of physical and/or electronic content is impermissible.

B. The use of inappropriate material on any ABATE media is impermissible.

1. The determination of unauthorized and/or inappropriate material shall be determined by a simple majority of the State Board, and if such material is associated in any way with the term ABATE, a registered letter delivered by the USPS, and an electronic notification (e-mail) will be provided to the individual hosting the questionable material. The individual will have seven (7) days to submit to the directive provided in the electronic notification. If after seven (7) days the individual has not carried out the directive, their voting rights are immediately suspended. If after an additional seven (7) days the individual has still not complied with the original directive that person's membership will be placed in a state of suspension, and any office that person may hold will then be considered vacant. Once this occurs the individual becomes ineligible to hold any office within the organization.

Similar infractions may not occur within a period of one (1) year. If they do the individual forfeits their membership and any fees paid toward that membership.

List of various Media include but is not limited to:

- a) Print: Any Hardcopy: Newspapers; Magazines; any periodical...
- b) Electronic: Radio; Television; E-mail; Voice mail; Instant Messaging; Forums; Podcasts; video (YouTube...); Web page...
- c) Social: Facebook; Twitter; Instagram; LinkedIn; Pintcrst; Tumblr; Wcblogs...

ARTICLE XVIII - PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS

No director, officer, employee, member of any committee, or any other individual or organization shall receive at any time any of the assets, income or profit of the Corporation. However, this prohibition shall not prevent payment to any person of such reasonable compensation for services rendered to or for the Corporation.

ARTICLE XIX - EXEMPT ACTIVITIES

Notwithstanding any other provision of these By-laws, no director, officer, employee, member of any committee, or representative of the Corporation shall take any action or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by any organization exempt under Section 501c(4) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.

ARTICLE XX - INDEMNIFICATION

Any person who is sued by reason of events occurring while acting on behalf of the Corporation may be indemnified by the Corporation to the full extent permitted by law. Under no circumstance shall any portion of any by-law be circumvented or disregarded at any time, especially by virtue of any vote cast by the State Board, unless authorized by State Chapter vote.

ARTICLE XXI - AMENDMENT

By-laws of the Corporation may be adopted, amended or repealed by a majority vote of the Chapters.
Subject to the approval of the attorney.

ARTICLE XXII - ABATE of New York. Inc.

ABATE of New York. Inc.. a 501(c)(4) not-for-profit Social Welfare organization.

1. Grants

- a. No ABATE representative can request monetary donations (which can be viewed as a sale) in exchange for grant purchased promotional material.

