

Constitution and By-Laws of the Escondido Fish and Game Association, Inc.



ARTICLE I Name

The name of this association shall be the ESCONDIDO FISH AND GAME ASSOCIATION, Inc.

ARTICLE II Objectives

The objectives of this Association are to promote conservation of our fish and game, to cooperate with the California Fish and Game Commission, the United States Forest Service, and other agencies or individuals entrusted directly or indirectly with the conservation and protection of our fish and game or their natural habitats, the forests, fields, oceans, and streams, and to promote good fellowship among sportsmen and landowners, interest in, and compliance with our conservation laws; to maintain affiliation with the National Rifle Association and to actively cooperate with said organization in all possible respects towards maintaining the rights of honorable and law abiding citizens to enjoy the possession and use of firearms without undue harassment.

ARTICLE III Membership

Section 1 – Applications

Any reputable person of good moral character who may legally own and use firearms may apply for a membership by application. The requirements for application for membership in the Escondido Fish and Game Association are listed on the application. The applicant shall become a member only on approval of the Board of Directors. All applicants for

membership, except Complimentary applicants must be members of the NATIONAL RIFLE ASSOCIATION, apply for membership in that organization through the ESCONDIDO FISH AND GAME ASSOCIATION, or show that they have applied for membership in that organization. All members, except Complimentary members must continue their membership in the NATIONAL RIFLE ASSOCIATION as a requirement for continuation of membership in the ESCONDIDO FISH AND GAME ASSOCIATION. All applicants, including Guest, Junior and Youth memberships, must show proof of an acceptable firearms safety program. The initiation fee and dues need not be paid until the Board of Directors approves the application and then must be paid within 30 days for the applicant to be accepted as a member

Section 2 – Provisional Membership

Any person 21 years of age or older who has met the application standards of Article III, Section 1, but who, in their first membership period (which ends on the following June 30), agrees to complete a term of volunteer service to the Association, the length and nature of which will be specified by the Board of Directors. Additional years / hours of volunteer service may be required by the Board of directors. Provisional members agree to complete this term of volunteer service as a condition of their continuing membership in the Association. Failure to complete the term of volunteer service will result in the non-renewal of membership in the Escondido Fish and Game Association and the forfeiture of any and all fees or dues paid.

Section 3 – Regular Membership

Any person 21 years of age or older who has met the application standards of Article III, Section 1 and has completed the provisional period of Article III, Section 2.

Section 4 – Senior Membership

Any member who has maintained continuous Regular membership during the most recent five year period, and who is 62 years of age or older, shall be eligible for Senior member status.

Section 5 – Junior Membership

In order to encourage participation in the shooting sports and in the activities of the ESCONDIDO FISH AND GAME ASSOCIATION, the number of JUNIOR members is unlimited and junior applicants may be accepted as JUNIOR members upon receipt of the application and the Board of Directors may act upon junior applications at any Board meeting. Persons between the ages of eight (8) and seventeen (17) shall be eligible. They must have completed an acceptable safety program and provide proof of National Rifle Association membership. A JUNIOR shall be entitled to compete for trophies, awards and prizes but shall not be eligible to vote or hold office. A JUNIOR member may not use a handgun, rifle or shotgun without the direct supervision of a parent or legal guardian or under direct adult supervision with written permission from their parent or legal guardian. A JUNIOR member upon reaching the age of 18 shall convert to YOUTH MEMBERSHIP by paying the appropriate fee and providing proof of National Rifle Association membership at the next membership renewal cycle.

Section 6 – Youth Membership

Any person 18 years of age to 21 years of age who meets the requirements of ARTICLE III, Section 1 may become a Youth member, by paying the appropriate fee, completing an acceptable safety program, and providing proof of National Rifle Association membership. A Youth member shall be entitled to compete for trophies, awards, prizes and be allowed to vote in all association elections but shall not be eligible to hold elected office. A Youth member, upon reaching the age of 21, shall not be required to pay the initiation fee to become a regular member provided they apply for Regular membership within 90 days of attaining the age of 21. A Youth member wishing to become a Regular member will be required to perform the volunteer service hours required of all new regular members. Youth member applications shall take precedence over all other applications (including any signup wait lists) and the Board of Directors shall act upon such applications without regard to section 16 of this article.

Section 7 – Guest Membership

Spouses and/or Domestic Partners of Regular and Senior members shall be granted Guest membership in the Association. Guest members will complete the same walk through and safety briefings as regular members. Membership in the National Rifle Association is a requisite for Guest membership in the Escondido Fish and Game Association. Guest members shall be issued appropriate membership cards. Guest members shall have all the rights accorded the membership status of their spouse and/or domestic partners. On the death of a Regular or Senior member, the Guest membership of their spouse and/or domestic partner may convert to the respective membership of the Life, Regular, or Senior member on request and approval of to the Board of Directors.

Section 8 – Life Membership

Life members shall consist of the member elected to Life Membership & their spouse, if any. Not more than two Life members may be elected in any one-year. The election of Life Members by a minimum of seven (7) positive votes of the Board of Directors, shall proceed as follows:
The President shall appoint a committee of three existing Life Members to act as a Nominating Committee for the selection of candidates for Life Membership. These committee members shall be active in at least one of the scheduled activities of the Association and may be, but are not necessarily members of the Board of Directors. They shall serve for the year in which appointed. The appointment shall be made no later than September and the Committee shall report their candidates together with the reasons for selecting each to the Board of Directors not later than the April Board meeting. Candidates for Life Membership shall have been Regular or Senior members of the Association for at least seven years prior to their candidacy for Life Membership and must have performed “outstanding service” for the Association. This “outstanding service” must have been performed over a period of time and must consist of more than a single act. It must be of such a nature that it can be documented by the Committee for presentation to the Board of Directors. It is desirable that candidates have performed

outstanding leadership such as an Officer or Board Member or Chairperson of the Association in a satisfactory manner. Disservice must be considered as well as outstanding service. Any member nominated three (3) times in five (5) years that was not awarded Life Membership cannot be re-nominated for a time period of five (5) years. Only candidates presented to the Board of Directors by the Nominating Committee shall be considered for Life Membership.

The Board of Directors will consider the candidates presented by the Nominating Committee and will vote, by secret ballot, on each candidate at the May Board of Directors meeting. Each Board member shall vote for no more than two candidates. The Board shall hold no general discussion of the individual candidate, however, the Board may question the Committee concerning various phases of the services performed. If more than two candidates are submitted by the Nominating Committee, then the two receiving the highest number of votes will be made Life Members providing a candidate received the required seven (7) votes to be elected to Life Membership. Life Membership, for those elected, will commence on July 1 immediately following their election. Life members shall have all the rights and privileges of Regular Members. Life Membership will have all dues automatically waived and will be presented with a suitable certificate of Life Membership as well as annual membership card. Life Membership shall be canceled if the Life Member resigns or dies. The Association Clerk shall maintain a current list of all Life Members and shall report the total number and names of the Life Members to the Board of Directors, as the Board shall request.

Section 9 – Complimentary Membership

Complimentary Members may be elected for a period of one year by a two thirds vote of the members of the Board of Directors. Complimentary Members shall have all the rights and privileges of a Regular Member, except the right to vote and hold office.

Section 10 – Dues

Dues shall include member and spouse or domestic partner, if applicable. Membership dues and initiation fees will be established by a majority of the Board of Directors in accordance with the changing needs of the Association. Changes in membership dues may not be made more than once in a fiscal year and such changes will take effect on the July 1 next following the Board vote.

Section 11 – Membership Cards

All members shall be issued a permanent membership card with an attached “sticker” depicting the expiration date (the end of the fiscal year). A new “sticker” will be issued upon renewal of membership.

Section 12 – Fiscal Year

The fiscal year shall be from July 1 through the following June

Section 13 – Suspensions

Any member whose dues are delinquent for 30 days will be dropped from the Association rolls. Those dropped from the Association rolls may be reinstated upon payment of the

initiation fee plus current dues and performance of volunteer work hours prescribed, and subject to the discretion of the Board of Directors.

Section 14 – Expulsions/Terminations

Any member may be expelled or terminated for just cause by a two-thirds (2/3) majority action of the Board of Directors in accordance with existing laws applicable to nonprofit organizations. Any expulsion or termination must be done in good faith, and in a fair and reasonable manner. Prior to the expulsion or termination, the member shall be:

- (a) Notified of the potential expulsion/termination and the reasons for the potential expulsion/termination fifteen (15) days before the effective date of the proposed expulsion/termination. Notice shall be provided via certified mail and sent to the last address of the member as shown in Association records; and
- (b) Provided with an opportunity to express his or her position, orally or in writing, not less than five (5) days before the effective date of the proposed expulsion/termination. The Board of Directors will then take a final roll-call vote with a two thirds (2/3) majority being required to expel/terminate the membership.

Any individual whose membership is terminated for just cause shall be permanently ineligible for membership in the Association.

Section 15 – Inactive Membership

Any Member in good standing who is leaving the area for a period of more than a year, but who expects to return to this area within seven years, may request an inactive membership status. This request must be made in writing to the Board of Directors. If the Board of Directors grant such a withdrawal, then the member may be excused from paying dues, will have none of the privileges of a member but will be carried on the Association rolls as an “inactive” member for a period of seven years from the date of approval. Upon an inactive member’s return to the area and within the period of seven years from the date of placement in an inactive membership status they may become an active member upon requesting the Board of Directors, in writing or in person at a regularly scheduled board meeting, to reinstate them and by paying the appropriate current dues. The seven-year limit on the inactive list does not apply to Life members.

Section 16 – Limited Membership

The membership of the Association shall be considered to be the total of REGULAR, SENIOR, and LIFE members. The total membership shall be determined annually as of August 1 of each year at which time the Board of Directors will consider applications for new members in accordance with Section 1 of this Article. The total membership can only be changed by a minimum of seven (7) positive votes of the Board of Directors.

ARTICLE IV Range Use

The use of the range facilities is limited to members and their supervised guests, except for certain scheduled events when non-members may participate at an increased entry fee. Members must have their membership card available to obtain these privileges and provide the membership card upon request from another member.

ARTICLE V Meetings

Section 1 – Time and Place

This Association shall meet monthly at a time and place designated by the Board of Directors.

Section 2 – Meeting Conduct

The President, or in his/her absence the Vice-President, or the Secretary in the order named, shall preside.

Section 3 – Agenda – General Membership Meetings

The order of Business of the General Membership meetings shall be as follows:

- (a) Pledge of allegiance to the flag of the United States of America.
- (b) Reading of the minutes of previous meeting.
- (c) Treasurer’s report.
- (d) Reports of Committees.
- (e) Reading of Communications.
- (f) Unfinished business.
- (g) New business.
- (h) Adjournment.
- (i) Entertainment.

Section 4 – Meeting Procedure

Robert’s Rules of Order shall serve as guidelines for parliamentary procedure for the Association.

Section 5 – Quorum

At membership meetings the active members present shall constitute a quorum.

Section 6 – Past Presidents

Past Presidents, in good standing, are allowed to attend all meetings of the Association except closed meetings which shall be at the discretion of the Board.

ARTICLE VI Board of Directors

Section 1 – Composition

The Board of Directors shall be comprised of the President, Vice-President, Secretary, and seven (7) members who meet the following qualifications:

- (a) Qualifications for Director: a candidate for the position of Director must be a member in good standing in the Association and in the National Rifle Association for the

period of at least one (1) year immediately prior to the date of the member's nomination. Further, the member must not have resigned from a Director position or an Officer position with the Association within the prior three (3) years before the member's nomination;

(b) Qualifications for the positions of President, Vice President, and Secretary: to qualify as a candidate for the positions of President, Vice President, or Secretary: must have served at least one (1) full term as either an Officer or a Director of the Association, and must be a member in good standing in both the Association and the National Rifle Association for the period of at least one (1) year immediately prior to the date of the member's nomination. Further, the member must not have resigned from a Director position or an Officer position with the Association within the prior three (3) years before the member's nomination.

Section 2 – Officers

(a) Elected positions: The positions of President, Vice President, and Secretary shall be elected by a majority vote of the members in good standing present at the election meeting.

(b) Terms of Office for President, Vice President and Secretary: The President, Vice President, and Secretary, shall hold office for one year, or when elected or appointed to fill a vacancy for an unexpired term, until his/her successor is elected or appointed.

(c) Resignation by Unexcused Absences: If an Officer or Director is absent from two Board Meetings without being excused by the President or, in his/her absence the Vice President, it shall be deemed that the member has resigned his/her position and the Board will fill the vacant position in accordance with the provisions of Section 6 of this Article.

(d) Effect of Resignation: If a member resigns from an Officer or Director position with the Association, the member is prohibited from holding an Officer position or a Director position for a period of three years from the date of the member's resignation.

(e) The Board may grant a leave of absence to any Board member for personal illness, illness in the family, or in order for the member to meet their employer's demands.

Section 3 – Directors

(a) Terms of Office/Election: The seven (7) Directors on the Board shall be elected for a term of two (2) years with four members being elected one year and three being elected the following year. Directors shall be elected by a majority vote of the members in good standing present at the election meeting.

Section 4 – Term of Office – Officers

The term of office for President, Vice-President, and Secretary, shall be from the July Board meeting following their election to office until the following July Board meeting.

Section 4(a) – Term Limits

The offices of President and Vice President shall be limited to four (4) consecutive terms.

Section 5 – Term of Director-Board members

The term of office for each of the seven (7) members of the Board of Directors shall be from the July Board meeting next following their election until the July Board meeting of the second year following their election.

Section 6 – Vacancies-Board Members

If the office of any member of the Board shall become vacant by reason of death, resignation, removal, or any other cause, except the Presidency, the office shall be filled by a majority vote of the Board.

Section 7 – Vacancies-President

If the office of the President shall become vacant the Vice-President will fill the office until the end of the term.

Section 8 – Board Authority

The Board shall have charge of all properties belonging to the Association, the transaction of all business in the name of the Association, adoption of matters of policy, have full control of the Association and their action shall be final.

Section 9 – Quorum

A minimum of seven (7) members of the Board shall constitute a quorum for the transaction of business.

Section 10 – Meeting Schedule

Directors meetings may be called at any time by the President or at the request of any five (5) members of the board.

Section 11 – Agenda – Board Meetings

The order of business at the Board of Directors meetings shall follow a published agenda, which may include the same procedures designated in Article V, Section 3.

Section 12 – Fund Control

The Treasurer shall countersign all checks with the President, except in the absence of either the Treasurer or the President or both. In such case of absence any combination of two (2) signatures of the President, Vice-President, Secretary or Treasurer is permissible. All signers must be non-related. No amount shall be expended without first being approved by the Board of Directors, except regular current expenses and expenditures not to exceed \$200.00 per month by authorized personnel.

Section 13 – Range Improvement Fund

As may be directed by the Board of Directors, the Treasurer shall establish a separate, interest bearing fund to be known as THE RANGE IMPROVEMENT FUND. This fund shall consist of the existing NEW RANGE FUND and may be added to from time to time. This RANGE IMPROVEMENT FUND may only be used for physical improvements of the existing property. At the first Board of Directors meeting occurring on or after the first of each quarter, i.e. July 1, October 1, January 1, and March 1, the Treasurer will review the financial report and report to the Board his/her estimate of

the surplus funds, if any, that will not be needed to meet all obligations, budgeted expenditures and provide working funds. The Board will consider this estimate and by majority vote, direct the Treasurer to invest the agreed upon surplus, if any, in the RANGE IMPROVEMENT FUND. This RANGE IMPROVEMENT FUND may be shifted from one investment to another to gain better terms at the discretion of the Treasurer with the approval of the Board of Directors. Those expenditures of less than \$50,000 for individual range improvements are to be authorized by a majority of the Board of Directors. Individual expenditures in excess of \$50,000 must be made using the following procedure: At least a majority of the Board of Directors must vote to recommend to the general voting membership this expenditure. This recommendation then to be submitted, by mail, to the entire voting membership of the Association for approval or rejection. Such approval or rejection to be by the majority of those voting. This mail vote to be conducted in the following manner: The President shall appoint a chairman who, in turn, will appoint two other members to form a committee to conduct a mail vote in its entirety. All three members of this committee may not be current members of the Board of Directors and who, preferably, are Life Members of the Association. This Committee will conduct the mail vote, in its entirety and report the results to the Board of Directors at the first regularly scheduled Board of Directors meeting after the conclusion of the voting. The voting must be completed in not less than four weeks or more than eight weeks after its inception by appointment of the Chairman. At the meeting that the results of the vote are given to the Board of Directors, the Board will take action in accordance with the results of the vote. Similar and related projects may not be divided up to supersede the \$50,000 limit, to be determined by the Board of Directors.

ARTICLE VII Officers

Section 1 – President

The PRESIDENT shall supervise generally the affairs of the Association and shall perform such duties as usually pertain to this office. He/she shall appoint committees, as he/she deems necessary and shall be an ex-officio member on each committee.

Section 2 – Vice-President

The VICE-PRESIDENT shall be vested with all the powers and shall perform all of the duties of the President in his/her absence or at his/her direction. In the event of the death, resignation or disability of the President, the Vice-President shall succeed to that office for the remainder of the unexpired term.

Section 3 – Secretary

The SECRETARY shall keep the minutes of all meetings of the membership and of the Board of Directors, shall maintain the minute book and all notices of meetings as ordered by the President, shall submit all copy to the Association clerk in ample time to allow for typing, printing, and distribution and shall coordinate the work of the Association Clerk and the Board of Directors. He/she shall be responsible for

maintaining a list of current approved projects and making it available to the Board of Directors at each regular meeting of the Board. This list to show the amount approved for each, status of each project, estimated cost to date, and when finished, the final cost of each project. The Association Secretary shall attend to the giving of all notices of meetings, whether regular or special.

The Association Secretary shall submit required financial records for audit as required by the Board of Directors.

Section 4 – Other

The CHAIRMAN of any authorized committee and RANGEMASTER(S) of sanctioned events are to be considered Officers of the Association while acting in their assigned capacity.

ARTICLE VIII Association Clerk

Section 1 – Supervision

The Association Clerk shall be hired by the President in accordance with ARTICLE XI and shall at all times be subject to the direction of the President and as coordinated by the Secretary.

Section 2 – Correspondence

The Association Secretary shall conduct the official correspondence of the Association.

Section 3 – Record Keeping

The Association Clerk shall keep all records, books, papers and documents relating to the Association in such places as shall be designated by the Board of Directors.

Section 4 – Membership Records

The Association Clerk shall keep all membership records and issue dues invoices and notices, receipts and membership cards. He/she shall be responsible for furnishing the Board with a report of the number of members in each classification not later than the August Board meeting in accordance with Section 16 of ARTICLE III.

Section 5 – Revenue

The Association Clerk shall receive monies due the Association, and after making proper record, transmit the same to the Treasurer for deposit.

Section 6 – Association Newsletter

The Association Clerk shall be responsible for the timely distribution of the Association Newsletter.

Section 7 – Other Duties

The Association Clerk may have other duties as determined by the Board of Directors.

Section 8 – Membership

The Association Clerk need not be a member of the Association. If the Association Clerk is a member of EF&GA, he/she may not serve as an elected officer or director.

**ARTICLE IX
Committees**

Section 1 – Budget Committee

This Committee shall be composed of the President, Vice-President, Treasurer and such others as the President may appoint. This Committee will establish a budget for the forthcoming fiscal year and will submit it to the Board of Directors at the May Board meeting. The Board shall make any necessary changes or revisions and shall vote on it at the June Board meeting.

Section 2 – Membership Committee

The president shall appoint a member in good standing as chairperson of the committee. The Chairperson will recruit at least 2 additional members in good standing to serve on the committee. The committee will coordinate interviews during the needed months for new member interviews prior to the Monthly Board of Directors meeting. The committee will also recruit members at large to serve with the Board of Directors during the new member interviews. The committee chair will present to the Board of Directors a recommendation of new members for a board review and motion of acceptance.

ARTICLE X

Nominating Committee and Election of Officers

Section 1 – Nominating Committee

At the regular March meeting the President shall appoint a Nominating Committee consisting of at least three (3) members. The duties of this Committee shall be to make nominations and to prepare a ballot for the election of President, Vice-President, and Secretary to serve for one-year terms in accordance with ARTICLE V, Section 2 (c) and for three (3) or four (4) Directors to serve two-year terms in accordance with ARTICLE V, Section 3 (a).

Section 2 – Nominees

At the regular April meeting the Nomination Committee shall submit this list of nominees for each office to be filled and a list of nominees not exceeding the number of Directors to be elected, plus nominations from the floor at the regular April and May meetings may be made for any office or that of a Director, and, when so made together with the list submitted by the Nominating Committee shall then be the list of nominees submitted to the members for the election of Officers and Directors.

Section 3 – Re-Opening Nominations

At the regular May meeting nominations will be reopened for Officers and Directors. Immediately following will be the balloting and the election of Officers and Directors.

Section 4 – Annual Meeting and Installation of Officers and Directors

The June meeting shall be the annual meeting and installation of the new Officers and Directors who will take office at the July Board meeting.

Section 5 – Resignation of Officer or Director Elect

In the event that an Officer or Director Elect resigns prior to being installed at the June general membership meeting, the vacated position is to be filled by the candidate with the next highest number of votes from the general election.

Section 6 – Unforeseen Conditions

In the event of unforeseen conditions beyond the control of Escondido Fish & Game Association, nomination, voting and installation months may be moved forward with a majority vote of the Board.

**ARTICLE XI
Amendments**

Section 1 – General

These by-laws, except for Section 13, ARTICLE VI, RANGE IMPROVEMENT FUND may be amended by an affirmative vote of a quorum of a regular Board of Directors meeting and then submitted as a written ballot, containing all recommended amendments/changes/additions and/or deletions, each as its own separate line item, to a regular membership meeting for approval.

Section 2 – Range Improvement Fund

Section 13 of ARTICLE V, RANGE IMPROVEMENT FUND, may only be amended by a majority vote of all voting members of the Association, which shall be conducted by mail in the following manner: The President shall appoint a chairman, who, in turn, will appoint two other members to form a Committee to conduct a mail vote in its entirety. The ballots shall be returned to an address as determined by the Committee Chairman. All three members of this committee may not be current members of the Board of Directors. This Committee will conduct the mail vote and report the results to the Board of Directors at the first regularly scheduled Board of Directors meeting after the conclusion of the voting. The voting must be completed in not less than four weeks or more than eight weeks after its inception by appointment of the Chairman. At the meeting the vote results are presented to the Board of Directors. They will take action in accordance with the results of the vote.

**ARTICLE XII
Employees**

Section 1 – Requirements

Employment conditions and employees will conform to all applicable federal, state and local laws governing such employment.

Section 2 – Employment Process

The President shall interview, negotiate, hire and fire employees at will with the advice and consent of the Board of Directors. Employees will consist of the Treasurer, Association Clerk, Maintenance Man, and Custodian.

Section 3 – Not Eligible for Elected Office

All/any employees of EF&GA cannot hold any office of the Board of Directors during their tenure as an employee.

ARTICLE XIII
Association Treasurer

(a) Treasurer: The Treasurer shall be appointed and/or hired by the president with the approval of the Board of Directors after ensuring that he/she has sufficient experience and background to competently handle the responsibilities of the office.

(b) Term of Office for Treasurer: The Treasurer shall serve at the pleasure of the Board, subject to the rights, if any, of the Treasurer under any contract of retention or employment.

(c) Qualifications for the position of Treasurer: the Board of Directors, or a committee appointed by the Board, shall identify candidates for the position of Treasurer who, in the Board's judgment, possess the necessary education, background and experience to fulfill the demands of the office. The Board has the discretion to appoint a non-member to the position of Treasurer, or to retain a non-member to fulfill the position.

(d) The Treasurer shall be the custodian of all Association funds. He/she shall keep such funds in a safe place as may be directed by the Board of Directors, give an accounting at every board meeting and every general meeting, pay out money as directed by the Board of Directors or as authorized in these By-laws, keep a record of all income and expenditures by appropriate account numbers, such record to show the income and expenditure for the current month, for the year to date and a comparison to budget, assist the Budget Committee in preparing the annual budget and in making quarterly budget comparisons to actual income and expenditures and submit the records for audit as and when required by the Board of Directors. The Treasurer shall keep an accurate inventory of all property of the Association.

(e) The Association Treasurer shall submit financial records for audit to the secretary as required by the Board of Directors.

(f) If the Treasurer is a member of EF&GA, he/she may not serve as an elected officer or director.

ARTICLE XIV
Conflict with Laws

The by-laws of the Association are not intended to circumvent or violate any Federal, California, or local laws. In the event of conflict between the Association by-laws and any Federal, California, or local law, such laws prevail.