

# Bylaws of the ESA Political Action Committee (“StoragePAC”)

Adopted 6/25/2019

## **ARTICLE I**

### ***Governing Body***

#### **Section 1. Advisory Board**

The PAC shall be governed by an Advisory Board consisting of ESA staff and/or ESA members in good standing. The ESA Board of Directors will elect a minimum of five (5), maximum of nine (9) Advisory Board members by majority vote. The ESA Board of Directors may replace an Advisory Board member if such member is determined to be unable to perform their duties as described within. The Advisory Board, working in consultation with the ESA Board of Directors, is empowered to take actions necessary to pursue the objectives of the PAC.

Responsibilities of the Advisory Board:

1. Elect PAC officers;
2. Adopt rules and policies for the conduct of PAC business;
3. Recommend any revisions of the bylaws for approval by the ESA Board of Directors;
4. Provide oversight that PAC contributions reflect and advance ESA’s mission and are consistent with ESA’s core principles;
5. Review and approve communication to ESA members regarding the business of the PAC; and
6. Submit regular reports on PAC activities to the ESA Board of Directors.

#### **Section 2. Officers**

The PAC shall have three officers: Treasurer, Assistant Treasurer, and Custodian of Records. The ESA Advisory Board shall choose all three PAC officers from among the Advisory Board by majority vote for a term of one (1) year. The Advisory Board may replace an officer, subject to approval of the ESA Board of Directors, if such officer is determined to be unable to perform their duties. All PAC officers must be registered with the Federal Elections Commission (FEC).

The PAC Treasurer and the Assistant Treasurer may be elected from among the general Advisory Board. The Custodian of Records shall be an employee of ESA.

Responsibilities of the Treasurer and the registered Assistant Treasurer:

1. Ensure compliance with all FEC regulations regarding solicitations, and receipt and disbursement of funds;
2. Assure that the required reports and documentation are filed with the FEC in a timely manner;
3. Sign and approve all official PAC communications with the FEC, IRS, contributors and candidates;

4. Sign and approve all checks or other disbursements of PAC funds.
5. Manage any consulting contractors in the administration of the PAC.

In the absence of the Treasurer, the Assistant Treasurer of the PAC may perform the duties assigned to the Treasurer.

## **ARTICLE II**

### ***Solicitations***

The PAC may, pursuant to applicable law, solicit and accept voluntary political contributions from the employees of ESA member organizations. The PAC shall not solicit non-members or use any method of solicitation prohibited by federal election laws.

## **ARTICLE III**

### ***Contributions***

Voluntary political contributions received by the PAC shall be deposited by the Treasurer (or a designated agent) in a checking account or similar transaction account designated by the Treasurer as the depository of the PAC. Except as provided by applicable law, all voluntary contributions shall be deposited within 10 days of the Treasurer's receipt thereof. Funds in the depository account, and any other accounts maintained by the Treasurer on behalf of the PAC, shall be reported, maintained and disbursed from said accounts in accordance with applicable law.

No funds belonging to the PAC shall be commingled with any personal funds of any individual or any funds of any entity other than the PAC.

The PAC may not knowingly accept contributions from foreign nationals, or other contributions prohibited by law. The PAC may not knowingly accept contributions in excess of the limits established by federal election laws.

100 percent of the funds disbursed by the PAC shall come from voluntary contributions made to the PAC. The PAC may not access or disburse money generated by membership dues paid to ESA.

## **ARTICLE IV**

### ***Disbursements***

The Treasurer, in consultation with the Advisory Board, shall cause to be made such disbursement or disbursements in support of or in opposition to Federal, State or local candidates or committees or in support of or in opposition to any resolution or ballot issue. In no event shall such disbursements to or on behalf of any single candidate or political committee or political committees, or the aggregate of all disbursements made to or on behalf of all candidates or committees, exceed any maximum amounts applicable to the PAC pursuant to applicable law.

## **ARTICLE IV**

### ***Other Expenditures***

In accordance with applicable law, the PAC may make such other expenditures, contributions and disbursements as may be authorized by the Advisory Board. The direct and administrative costs of PAC

activities may be paid for either from money received in contributions to the PAC or from ESA funds as budgeted.

## **ARTICLE VI**

### ***Amendments***

These By-Laws may be amended or repealed, or new By-Laws may be proposed and adopted, in whole or in part, by majority vote of the PAC Advisory Board and approval of ESA's Board of Directors.