

# **BY-LAWS OF THE AMERICAN CIVIL WAR SHOOTING ASSOCIATION, INC.**

These by-laws replace all former by-laws of this corporation. These by-laws shall become effective immediately upon approval by a majority of the member organizations. Thereafter, amendments to these by-laws may be made as provided herein. The present officers of the corporation shall continue in office until replaced under the provisions of these by-laws.

## **ARTICLE ONE: NATURE AND PURPOSE**

### **ART. ONE, SECTION ONE: THE ASSOCIATION**

1. The name of the organization is "American Civil War Shooting Association, Inc." It is commonly known as, and will be referred to herein, as "the ACWSA."
2. The ACWSA is, and shall remain, a non-profit corporation organized and existing under the laws of the State of Wisconsin.
3. The articles of incorporation of the ACWSA are incorporated by reference into these by-laws. In the event of any conflict between the articles of incorporation and these by-laws, the articles of incorporation shall prevail.
4. The ACWSA is organized exclusively for exempt purposes under Section 501(c)(3) of the Internal Revenue Code, and shall not engage, otherwise than as an insubstantial part of its activities, in activities that in themselves are not in furtherance of one or more exempt purposes, and its assets shall be dedicated to exempt purposes, under said Section, or corresponding sections of any future Federal tax code.

### **ART. ONE, SECTION TWO: OBJECTIVES OF THE ACWSA**

The objectives of the ACWSA are:

1. To promote and encourage safe sport shooting using original and authentic reproduction arms, equipment, and clothing from the period of the American Civil War of 1861-1865 (hereinafter, "the Civil War").
2. To advance knowledge among ACWSA members, and the general public, of the Civil War, and, in particular, of the arms, ammunition and related equipment used during the Civil War.

3. To conduct and regulate shooting competitions, called "skirmishes," at which the use of Civil War arms (including shoulder arms, handguns, mortars, and/or artillery) may be observed by the public.
4. To promote and encourage good fellowship and exchange of information among all persons interested in Civil War history, arms, equipment, and clothing.
5. To recognize and commemorate courage and sacrifice of all kinds, on both sides, during the Civil War.
6. To engage exclusively in activities in furtherance of exempt purposes under Section 501(c)(3) of the Internal Revenue Code, or corresponding sections of any future Federal tax code, and dedicate its assets to such exempt purposes.

## **ARTICLE TWO: MEMBERSHIP**

### **ART. TWO, SECTION ONE: MEMBER ORGANIZATIONS**

1. The ACWSA is comprised of member organizations made up of individual members.
2. An ACWSA member organization is a group of not less than four persons, organized for skirmish shooting competition under ACWSA rules, which has been accepted for ACWSA membership by the ACWSA Board of Directors.
3. Any group of four or more persons that has participated as an organization in three or more skirmishes conducted under ACWSA supervision and rules during the 2011 skirmish season are deemed accepted by the ACWSA Board of Directors for all purposes under these by-laws and the ACWSA Skirmish Rules.
4. To maintain status for any skirmish season as an active ACWSA member organization after initial acceptance, an organization must pay the annual ACWSA dues for the season at issue, as set by the Board of Directors, and must have participated in at least two ACWSA skirmishes during the skirmish season immediately before the season at issue. The participation requirement may be waived by majority vote of the Board of Directors.
5. Any group of four or more persons that wishes to participate in an ACWSA skirmish, but that has not been accepted for membership by the ACWSA Board of Directors, may participate as a conditional member organization if granted permission to do so by the skirmish director of the skirmish, subject to all ACWSA rules, and subject to, and contingent upon, insurance coverage for the conditional member organization being available and in effect on the same basis as for a member organization under the ACWSA insurance in effect at the time of the skirmish. A conditional member organization has no voting rights or other rights or privileges in ACWSA governance.

6. Any organization invited to participate in a skirmish approved by the ACWSA Board of Directors may participate in the event on the same basis as ACWSA member organizations.

7. ACWSA member organizations may conduct "joint skirmishes" in cooperation with non-ACWSA organizations, such as The North-South Skirmish Association. In joint skirmishes, non-ACWSA organizations and ACWSA organizations each conduct their own separate skirmishes, but at the same time and place. Non-ACWSA organizations participating at ACWSA joint skirmishes must have insurance coverage comparable to the ACWSA's insurance coverage. Competition and awards at joint skirmishes may include both non-ACWSA and ACWSA participants. All ACWSA skirmish rules apply to ACWSA members and member organizations at joint skirmishes, just as at other ACWSA skirmishes. ACWSA skirmish directors at joint skirmishes should cooperate with their non-ACWSA counterparts to the greatest extent possible within ACWSA rules to accommodate non-ACWSA rules.

## **ART. TWO, SECTION TWO: NEW MEMBER ORGANIZATIONS**

1. An organization may apply to the ACWSA Board of Directors for acceptance as a member organization by submitting a written application to the Board of Directors, through the National Commander, at least two weeks before the annual meeting of the Board of Directors. The National Commander shall forward copies of all such applications to all Directors a reasonable time before the annual meeting. All such applications shall be acted upon by the Board of Directors at the first annual meeting after receipt of the application, or, in the discretion of the Board, by telephone, e-mail, or other electronic communication vote as soon as practicable after receipt of the application.

2. An application for membership shall include a brief description of the Civil War unit (regiment, battery, and/or company) which the applicant organization plans to portray, and a detailed description of the uniform the applicant organization would wear in ACWSA competition. A picture of the uniform may be substitute for a written description.

3. An application for membership will not be accepted if the applicant seeks to portray a Civil War regiment, battery, or other unit, already portrayed by an active ACWSA member organization. However, an application may be accepted if the applicant chooses a distinct company designation within a Civil War regiment already portrayed by an active ACWSA member organization, provided that the applicant obtains the written permission of the pre-existing active ACWSA member organization, and provided that the pre-existing active ACWSA member organization agrees to change its designation to a different, distinct company designation within that regiment upon acceptance of the new organization's application.

## **ART. TWO, SECTION THREE: TERMINATION AND DISSOLUTION**

1. The Board of Directors, by two-thirds vote of the board members present at an annual or specially-noticed meeting, with at least 10 days prior notice to the affected organization, may suspend or terminate the ACWSA membership of any member organization, in the complete discretion of the board, for any reason deemed sufficient by the board. The affected organization may submit any objections to termination to the board in writing, or, in the board's discretion, in person.
2. Any ACWSA member organization or group of organizations may terminate its membership and withdraw from the ACWSA at any time, by providing written notice to the National Commander. No withdrawing organization, or group of organizations, will have any rights associated with the ACWSA, including, but not limited to, the right to use the full name of the ACWSA, or "ACWSA," or any ACWSA logo, domain name, url, web pages, or member information, or to exercise any rights under the ACWSA articles of incorporation.
3. The ACWSA being a Wisconsin corporation, formed under Wisconsin law, in the event the ACWSA ever splits, the member organizations making up a majority of the organizations based in Wisconsin shall retain all rights to the use of the ACWSA name, to the ACWSA corporation, and to all rights associated with the ACWSA, including, but not limited to, the right to use the full name of the ACWSA, or "ACWSA," or any ACWSA logo, domain name, url, web pages, or member information.
4. No ACWSA organization which withdraws from the ACWSA or has its membership terminated, nor any member thereof, has any right of refund, reimbursement, or compensation of any kind from the ACWSA, or any member organization or individual member thereof, based on the withdrawal or termination.
5. In the event of the termination of the membership of any ACWSA member organization, the term of office of any ACWSA national officer who is a member of the terminated organization will end on the effective date of the termination, and the office will be considered vacant as of that date, for purposes of these by-laws.
6. The Board of Directors, by two-thirds vote of the board members present at an annual or specially-noticed meeting, may terminate or dissolve the corporation. In that event, after all legitimate financial obligations of the corporation have been paid, or adequate arrangements for satisfaction of them have been made, all remaining assets shall be distributed to one or more organizations operated exclusively for charitable and/or educational purposes as exempt organizations under Section 501(C)(3) of the Internal Revenue Code, or any successor code provisions, as the Board of Directors may choose, by majority vote at a board meeting called for that purpose.

## **ART. TWO, SECTION FOUR: INDIVIDUAL MEMBERS**

1. No person may participate in ACWSA competition except as a member of an ACWSA member organization. Any member organization may designate a non-member as a “guest participant” or “potential member” for any skirmish, and such person shall be considered a member of that organization for that skirmish.
2. Every person designated by a member organization as a member shall be an individual member of the ACWSA.
3. Each member organization may set its own membership requirements, dues, and internal rules, if any, provided that such requirements do not violate any applicable state or federal laws or regulations.
4. No person barred by applicable state or federal law from the possession of a firearm of the type used in skirmish competition may participate in ACWSA competition with that type of firearm.
5. No person barred by applicable state or federal law from the possession of all firearms shall be counted as a member of an organization for purposes of that organization’s ACWSA eligibility.
6. The ACWSA shall not apply a minimum age for participation in any ACWSA event, but all limits and requirements of state or federal law applicable to the location of the event shall control. The ACWSA skirmish rules may (but need not) impose additional, reasonable limits on minor participants, such as requiring the minor to show completion of a firearms or hunter safety course, to provide parental releases, to have adult supervision, and/or similar requirements.
7. No person may maintain individual membership in more than one ACWSA member organization at the same time.
8. Each ACWSA member organization shall keep and communicate to the National Commander, or to the Adjutant, such records of its individual members as the Board of Directors may require.
9. The Board of Directors, by two-thirds vote of the board members present at an annual or specially-noticed meeting, with at least 10 days prior notice to the affected person, may suspend or terminate the ACWSA membership of any individual member of an ACWSA member organization, in the complete discretion of the board, for any reason deemed sufficient by the board. The affected person may submit any objections to termination to the board in writing, or, in the board’s discretion, in person. This paragraph does not limit member organizations or regions from enacting and enforcing their own membership rules not inconsistent with these by-laws.

10. If the membership of an individual member is suspended or terminated under paragraph 9 of this section, that individual has no right of refund, reimbursement, or compensation of any kind from the ACWSA, or any member organization or individual member thereof, based on the termination.

## **ARTICLE THREE: REGIONS**

### **ART. THREE, SECTION ONE: REGIONAL ORGANIZATIONS**

1. The Board of Directors may establish geographic regions and assign each member organization to one region. The board may create new or different regions as the board determines to be necessary. The board will notify all member organizations of the regions and assignments a reasonable time before the start of any skirmish season for which new regional boundaries or assignments have been made.

2. The regions at the time of the adoption of these by-laws are the Michigan-Indiana Region, with organizations based in Michigan and Indiana, and the Wisconsin-Illinois Region, with organizations based in Wisconsin and Illinois. These regions are hereby recognized and will continue without further action, unless changed by the Board of Directors under these by-laws.

3. Generally, assignment to a region will be determined by the residences of the individual members, or the convenience of the individual members in traveling to skirmishes. Any member organization may request assignment or re-assignment to a region by written request to the Board of Directors at least two weeks before the annual meeting for that skirmish season for which the assignment is requested. Such requests will be honored by the board, unless the board determines that the best interests of the ACWSA require that the request be denied, or that granting the request should be postponed.

### **ART. THREE, SECTION TWO: REGIONAL GOVERNANCE**

1. Each region will select a Regional Commander and such other officers as the ACWSA member organizations in the region deem necessary. Regional officers will be elected by vote of a majority of the ACWSA member organizations in the region (one vote per organization).

2. The Regional Commander will have the same duties for the region as the National Commander has for the ACWSA as a whole under these by-laws, and will represent the region under the terms of these by-laws. Regional Commanders will serve two-year terms, coinciding with the term of the National Commander.

3. Vacancy in the office of Regional Commander for any region will be filled by the Regional Deputy Commander, if there is one, or by vote of the region's ACWSA member organizations as soon as practicable after the vacancy if there is no Deputy

Commander. If a Regional Commander's position is vacant and the interests of the ACWSA require that it be filled immediately, the National Commander of the ACWSA may appoint an acting Regional Commander to serve out the term, or until a regional election is conducted.

4. The ACWSA regions may hold regional meetings for any purpose not inconsistent with these by-laws. Each region may establish its own procedure for calling and conducting such meetings, but in the absence of an established procedure, regional meetings will be held as the Regional Commander directs.

5. Each region shall conduct at least one meeting before February 28 of each year, preferably before the annual ACWSA Board of Directors meeting, to adopt a skirmish schedule for the region for that year, to elect a Regional Commander, if necessary, and to conduct such other business as may be necessary and appropriate. The regional skirmish schedule and other results of the regional meeting will be reported to the ACWSA Adjutant by the Regional Commander or other regional officer within 10 days of the regional meeting, preferably before the annual ACWSA Board of Directors meeting.

6. Each region may charge regional dues in addition to ACWSA dues and maintain a regional treasury to pay expenses.

## **ARTICLE FOUR: ACWSA GOVERNANCE**

### **ART. FOUR, SECTION ONE: OFFICERS**

ACWSA officers and their duties are as follows:

1. **NATIONAL COMMANDER.** The National Commander shall have the usual duties of an organization's president, including, but not limited to, presiding over meetings of the membership or of the Board of Directors, appointing assistants or designates to carry out necessary tasks, representing the ACWSA as necessary from time to time, receiving, maintaining, and disseminating information about the ACWSA and its member organizations, and serving as an *ex officio* member of all ACWSA committees.

2. **NATIONAL DEPUTY COMMANDER.** The National Deputy Commander shall have the usual duties of an organization's vice-president, including, but not limited to, performing the duties of the National Commander in the absence, incapacity, resignation, or removal of the National Commander, until the National Commander resumes his or her duties or is replaced under the terms of these bylaws, or at the request of the National Commander.

3. **ADJUTANT.** The Adjutant shall have the usual duties of an organization's secretary, including, but not limited to, conducting ACWSA correspondence, under the direction of the National Commander or the Board of Directors, keeping necessary records of ACWSA business, preparing minutes of meetings of the Board of Directors or ACWSA

members, maintaining records and rosters of ACWSA officers, member organizations and officers thereof, and over-seeing elections and voting under the terms of these by-laws.

4. **PAYMASTER.** The Paymaster shall have the usual duties of an organization's treasurer, including, but not limited to, collecting ACWSA dues and any other amounts owed to the ACWSA, paying ACWSA bills, under the direction of the National Commander and the Board of Directors, maintaining necessary bank accounts for the ACWSA, keeping the financial records of the ACWSA, and reporting on ACWSA finances to the National Commander and the Board of Directors at the annual board meeting, or more frequently if directed to do so by the National Commander or the Board of Directors.

5. **INSPECTOR GENERAL.** The duties of the Inspector General (IG) include, but are not limited to, assuring compliance with ACWSA skirmish rules and ACWSA rules regarding firearms, mortars, artillery, clothing, equipment, and ammunition. The IG may conduct periodic inspections and reviews of skirmish procedures and of skirmisher's arms and equipment, and may recommend changes or additions to ACWSA rules to the Board of Directors. The IG may order changes in, or termination of, particular skirmish practices or use of particular firearms, mortars, artillery, clothing, equipment, or ammunition if the IG determines that they substantially violate applicable ACWSA rules. An ACWSA member organization or individual ACWSA member, may appeal an IG's order to the skirmish director, and may further appeal the skirmish director's decision to the Board of Directors at an annual or specially-noticed meeting. An IG overruled by a skirmish director may appeal the skirmish director's decision to the Board of Directors at an annual or specially-noticed meeting. The IG may appoint assistants who may act with the same authority as the IG, as necessary for the performance of the IG's duties. An assistant's decision may be appealed to the IG at any time.

6. **JUDGE ADVOCATE GENERAL.** The duties of the Judge Advocate General (JAG) include, but are not limited to, drafting the text of, or changes in, ACWSA by-laws, skirmish rules, and other ACWSA documents, at the direction of the National Commander and/or the Board of Directors, interpreting ACWSA rules as necessary, and advising the National Commander and/or the Board of Directors in regard to ACWSA by-laws, rules, and procedure. The JAG will not have voting rights on the Board of Directors except as follows:

(a) The JAG shall be counted towards a quorum, and may then vote, if a quorum of the Board of Directors would not otherwise be present.

(b) The JAG may vote to break a tie.

(c) Neither (a) nor (b) above applies if the JAG holds another office entitled to vote on the Board of Directors.

7. **ORGANIZATION COMMANDERS.** Each member organization shall designate an Organization Commander for each skirmish season. The Organization Commander shall have the usual duties of a team captain in an organization of teams, including, but not limited to, representing the organization for purposes of ACWSA communications,



meetings, or skirmish procedures, disseminating ACWSA information to individual members of that organization as necessary, and voting on behalf of the organization under ACWSA rules and bylaws.

8. **COMMITTEES.** The National Commander may appoint committees (of one or more ACWSA individual members) to perform necessary administrative tasks, such as approving firearms, mortars, artillery, ammunition, clothing, and equipment, planning national skirmishes, keeping scores and statistics, obtaining, preparing, and maintaining targeting, reviewing proposed rules changes, and similar tasks. Committee appointments are subject to approval or rejection by the Board of Directors at the next board meeting after the appointment, or proposal for appointment, by the National Commander. Actions by these committees will have the same force and effect as action by the National Commander or the Board of Directors, subject to change by the Board of Directors at an annual or specially-noticed meeting.

## **ART. FOUR, SECTION TWO: BOARD OF DIRECTORS**

1. **BOARD OF DIRECTORS.** The Board of Directors has the usual duties of a corporation's board of directors, and the powers and duties granted to the board under these by-laws. The duties of the Board of Directors include, but are not limited to, setting and collecting dues, including penalties for late payment or non-payment, authorizing necessary expenditures of ACWSA funds, setting schedules for skirmishes and other ACWSA-sponsored events, promulgating and publishing ACWSA rules, publishing news, competition results, and matters of historical and technical interest, and taking other actions which further the purposes of the ACWSA.

2. **BOARD MEMBERS.** The Board of Directors consists of the National Commander, the National Deputy Commander, the Adjutant, the Paymaster, the IG, the immediate past National Commander, the JAG, and the Regional Commanders. The same person may hold more than one of the offices entitling that person to serve on the Board of Directors, but, in that event, the individual will have only one vote on the board. The JAG's voting rights are as set forth in Section One of this Article.

3. **BOARD PROCEDURE.** Procedure at meetings of the Board of Directors will be governed by the rules set forth in the most recent edition of *Roberts Rules of Order*, except when that source conflicts with these by-laws, in which case, these by-laws will control. Application of *Roberts Rules of Order* may be waived by unanimous consent at any meeting, for all or part of any meeting. Actions of the Board of Directors require a majority vote of the directors voting at a board meeting. A board member not present at a meeting, or not participating in a phone or electronic meeting, may vote on any matter coming before the board by written proxy, delivered to the Adjutant at or before the meeting, authorizing another board member to vote on behalf of the absent member.

4. **QUORUM.** A quorum of the Board of Directors is a majority of the individuals on the board. Proxy authority will not be considered as presence for purposes of determining if a quorum is present.

5. **MEETINGS.** Annual meetings of the Board of Directors will be conducted before February 28 of each year, at a time and location designated by the National Commander. Annual meetings are subject to continuance as may be necessary. Annual and special meetings may be held in person, or by electronic media, or by telephone conference call, at the direction of the National Commander, as long as all members are able to participate without undue hardship, if they wish to participate.

6. **AGENDA.** The agenda for all board meetings will be communicated to all board members and all ACWSA member organizations at least 10 days before the meeting, unless an emergency situation requires board action without such notice, in which case notice will be given to the member organizations as soon as possible before or after the meeting.

7. **BOARD VACANCIES.** Vacancies in elected positions on the Board of Directors may be filled by appointment by the National Commander pending a special election called by the board by action in an annual or a specially-noticed meeting, or as otherwise provided in these by-laws.

#### **ART. FOUR, SECTION THREE: SELECTION AND TERMS OF OFFICERS AND DIRECTORS**

The officers making up the Board of Directors are selected, and serve, as follows:

1. **NATIONAL OFFICERS.** National officers are elected after the end of skirmish seasons of even-numbered years, and serve two-year terms beginning January 1 of the following odd-numbered year. The National Commander and Deputy Commander will always be elected by different regions, alternating each term, by majority vote, each member organization in the region having one vote.

(a) The National Commander will be elected by the Michigan/Indiana Region for the term beginning January 1, 2021.

(b) The National Deputy Commander will be elected by the Wisconsin/Illinois Region for the term beginning January 1, 2021.

(c) The National Paymaster and National Adjutant have the same balloting cycle as National Commander and Deputy Commander, but will be elected by majority vote of all ACWSA member organizations, through the organization commanders, under the terms of these by-laws.

(d) The IG and the JAG are appointed by, and serve at the pleasure of, the National Commander, for terms coinciding with the term of the National Commander appointing them.

2. **PAST COMMANDER.** The immediate past National Commander becomes an *ex officio* board member as soon as the next National Commander takes office, and serves on the board until the end of the new National Commander's term of office.

**3. REGIONAL COMMANDERS.** The Regional Commanders are elected in their respective regions as stated above. Regional Commanders are *ex officio* members of the Board of Directors.

**4. APPOINTED NATIONAL OFFICERS.** The IG and the JAG are appointed by, and serve at the pleasure of, the National Commander, for terms coinciding with the term of the National Commander appointing them.

**5. HOLDING MORE THAN ONE NATIONAL OFFICE.** The same person may not hold any of the offices referred to in paragraph 1 of this section at the same time. The same person may hold any of the other offices referred to in this section at the same time, but, in that event, the person is entitled to only one vote as an ACWSA director.

**6. TERM LIMIT OF NATIONAL COMMANDER.** The office of National Commander may not be held for consecutive terms by the same person (except to the extent that a continuation in office is required under the terms of Art. Four, Section Four, paragraph 7, "Terms of Office," of these bylaws), or by a person who is a member of an ACWSA organization in the same region as the last person to hold that position, or by a person who is a member of an ACWSA organization in the same region as the National Deputy Commander during the same term of office.

**7. TERM LIMIT OF NATIONAL DEPUTY COMMANDER.** The office of National Deputy Commander may not be held for consecutive terms by the same person (except to the extent that a continuation in office is required under the terms of Art. Four, Section Four, paragraph 7, "Terms of Office," of these bylaws), by a person who is a member of an ACWSA organization in the same region as the last person to hold that position, or by a person who is a member of an ACWSA organization in the same region as the National Commander during the same term of office.

## **ART. FOUR, SECTION FOUR: ELECTION AND REMOVAL OF OFFICERS AND DIRECTORS**

**1. NOMINATION AND ELECTION PROCEDURE.** Only members in good standing can hold offices. Regions may conduct nominations and elections for the Commander offices by any procedure not inconsistent with these by-laws, but must complete the election process before December 1 of even-numbered years. Nominations for National Adjutant and National Paymaster will be open until October 15 in even-numbered years. Nominations can be made by any National Board member or member organization by notifying the National Adjutant. Unless they decline the nomination, or are ineligible to serve, incumbent elected officers will be automatically nominated for another term. If an office has more than one nominee, the Adjutant will prepare a ballot and distribute it to all member organizations within two weeks of the close of nominations. Votes are due two weeks after distribution of ballots. Election results will be announced by the Adjutant within two weeks after the vote. All appointees remain in office until they either resign or are replaced.

2. **UNCONTESTED ELECTIONS.** If only one nomination for an office is received by the Adjutant, no balloting for that office need be conducted.

3. **VOTING FOR OFFICERS.** When required under these by-laws, elections, or special elections, for National Commander, National Deputy Commander, Paymaster, and Adjutant shall be conducted by mail, by e-mail or other electronic media, or by any combination thereof, as approved by the Board of Directors at the last board meeting before the election, or as directed by the Adjutant in the absence of board action.

4. **BALLOTS.** When required under these by-laws, ballots with the names of the candidates for each said office will be prepared and sent by the Adjutant to the commanders of all ACWSA member organizations within two weeks of the close of nominations. Completed ballots must be returned to the Adjutant within two weeks of their distribution. Each ACWSA member organization shall be entitled to one vote, cast by the organization's commander.

5. **SPECIAL ELECTIONS.** Special elections to fill vacancies for National Commander, National Deputy Commander, Paymaster, or Adjutant may be held as determined to be necessary by the Board of Directors, in general conformity with these by-laws. The nomination period for a special election shall not be less than 30 days. An officer elected by special election will serve out the term of the officer being replaced.

6. **VOTE COUNTING.** The Adjutant and the JAG will count election votes, and certify the results to the current National Commander within two weeks of the close an election. Any disagreement as to election results will be resolved by majority vote of the Board of Directors conducted by any reasonable means designated by the National Commander. The National Commander will publish the election results to all ACWSA member organizations on or before December 15 of the election year, or within 10 days of receiving special election results.

7. **TERMS OF OFFICE.** Newly elected officers will take office on January 1 of the year following the elections, or 10 days after publication of the results of a special election. Notwithstanding the expiration of a term of office, the term of the person holding that office, whether appointed or elected, will continue until his or her successor takes office after being duly appointed or elected under these by-laws.

8. **RUN-OFF ELECTIONS.** In any election in which no candidate receives more that 50% of the votes cast, a second election will be held between the two candidates receiving the highest number of votes, within 20 days after the first election results are published, and otherwise in general conformity with this section.

9. **REMOVAL OF OFFICERS.** An elected or appointed national officer, or an *ex officio* board member, may be removed from office by a vote of two-thirds of the Board of Directors (excluding the person whose removal is at issue), or by a two-thirds vote of all ACWSA member organizations, at a special board meeting or a special election held for that purpose. Such meeting or election may be called by written petition of a majority of

the board members or ACWSA member organization commanders submitted to the Adjutant or National Commander at least 30 days before the proposed meeting or election. If removal is approved, it shall become effective immediately, and the office shall be considered vacant and subject to being filled under the provisions of these by-laws.

## **ARTICLE FIVE: GENERAL RULES AND PROCEDURES**

### **ART. FIVE, SECTION ONE: RULES REGULATING SKIRMISHES**

1. An ACWSA skirmish is an event involving marksmanship competition between shooters using equipment of the type used by military forces in the American Civil War and approved for skirmish use under ACWSA rules.
2. The Board of Directors, or committees appointed under the terms of these by-laws, will issue rules for skirmishes, and rules governing arms, clothing, equipment, and unit designations used at skirmishes, as the board or committees deem necessary from time to time. These rules will apply throughout the ACWSA.

### **ART. FIVE, SECTION TWO: RULES REGULATING ARMS, CLOTHING, AND UNIT DESIGNATIONS**

1. All skirmish team competition is limited to the use of arms, clothing, equipment, and unit designations, which comply with rules passed by the ACWSA Board of Directors (or issued by the person or committee to whom the board delegates authority). For this purpose, the board may incorporate by reference rules or publications of other organizations regarding arms, clothing, or equipment.
2. All arms, clothing, or equipment approved by any organization participating in a joint skirmish as authorized under these by-laws (see Article Two, Section One, paragraph 6, above), will be considered as approved by the ACWSA for that skirmish.
3. All approvals and disapprovals of arms, clothing, equipment, or unit designations under this section, will be published by the Adjutant in a manner calculated to be reasonably available to all ACWSA member organizations.
4. It is the intent of these by-laws that the ACWSA rules should authorize only arms, clothing, equipment, and unit designations, which are reasonably consistent with those used during the American Civil War. This provision is not intended to bar minor or necessary variations from Civil War usage, such as plastic cartridges, smaller-scale mortars and artillery, center-fire cartridges, clothing or footwear produced by post-war technology, bullet shape, weight or lubrication, reasonable eye or hearing protection, corrective eye glasses, spotting scopes and binoculars, sight paint or other coloration, and similar things traditionally allowed in skirmish competition.

5. It is the intent of these by-laws that the ACWSA rules should allow any arms, clothing, equipment, or unit designations, which are reasonably consistent with those used during the American Civil War. This provision is not intended to bar rules which:

- (a) Limit ACWSA competition to the use of specific firearms, or categories, makes, or models, thereof (including mortars and artillery pieces);
- (b) Set standards for firearms (including mortars and artillery pieces) and ammunition used in ACWSA competition; (These standards may include, but are not limited to, such matters as regulation of barrel length and configuration, trigger pull weight, sights, cartridges, powder, and projectiles.)
- (c) Are necessary for the safety of skirmish participants and spectators; or,
- (d) Are necessary for the orderly conduct of skirmishes.

6. No participant in team competition events may wear designation of military rank above that of corporal, or equivalent naval rank, except as authorized herein, and no rule of the ACWSA or an ACWSA region may authorize the same. Designations of military rank of sergeant, or the equivalent naval rank, may be worn by members of the Board of Directors, commanders of ACWSA member organizations, and regional deputy commanders, in the discretion of the individual. For this purpose, "sergeant" includes all levels of the grade of sergeant, such as first sergeant, ordnance sergeant, quartermaster sergeant, commissary sergeant, and all other ranks of the same pay grades.

### **ART. FIVE, SECTION THREE: AMENDMENT OF BY-LAWS**

1. These by-laws may be amended only by vote of a majority of all ACWSA member organizations which choose to vote on the issue, unless applicable corporate law requires otherwise, in which case, that law will prevail, or unless the articles of incorporation require otherwise, in which case the articles will prevail.

2. Amendments of these by-laws will take effect [immediately after approval](#).

3. Proposed amendments must be sponsored by at least three ACWSA member organizations, or by a majority of the Board of Directors. Sponsors must send the proposed amendment, in specific form, to the Adjutant on or before August 31 of the year before the amendment would take effect.

4. The Adjutant will publish the proposed amendment to all ACWSA member organizations within 10 days of receipt. That publication may be in writing or by electronic communication, provided that it contains the proposed amendment in complete and specific form.

5. The Adjutant will conduct a vote of all ACWSA member organizations on the proposed amendment in any reasonable manner which allows voting on the amendment by all organizations wishing to vote. The vote will be taken not less than 45 days after publication of the proposed amendment.

6. If the Board of Directors deems any proposed amendment sufficiently important, the board may order a special meeting of member organizations to discuss that proposed amendment within the 45 days after publication, and may provide for voting on the amendment at that meeting. However, the board may not limit voting to organizations present at the meeting.

7. The Adjutant will notify all ACWSA member organizations of the final result of the vote on the proposed amendment, and provide them with re-issued by-laws which include an approved amendment, within 10 days of the vote. Any re-issued by-laws will bear a title or other designation indicating the date of amendment and the effective date thereof.

8. If a proposed amendment does not pass under the above procedures, the defeated proposed amendment will be reported to the Board of Directors by the Adjutant at the next annual meeting, so that it may be included in the minutes of the annual meeting for that year.

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The foregoing by-laws were adopted by the Board of Directors of the ACWSA, and approved by all member organizations, to be effective [January 1, 2020](#), amending [previous by-laws](#).

Danny G. Graff  
ACWSA Judge Advocate General and Board Member