

To all concerned-

We've been asked for our opinions on this proposal- here they are.

We'd like to see everyone respond- as you see time is short (meeting Oct 22nd) and as Fuzzy Davey said- "If I don't hear from you I will have to assume you and your members are satisfied with the proposed corporation papers."

Well, we ABATE of Oregon are not happy with the corporation. If you have any views it's imperative you express them before Oct 22!

Futher notes on Proposal by members of Abate of Oregon.

- "again on page #6 lack of quorum was mentioned as the reason ABATE co-ordinators were not allowed to vote on anything."

- " I think it stinks"- a member of Abate of Idaho."

- " We got our repeal without help or financial aid from Easyriders"

- " We've always paid for our own postage."

- "We are what we are" Wheelz-Utah

- " The only printing assistance is when we buy the magazine, then Oregon is very infrequently mentioned."

- " ABATE should be ABATE, not ~~Easyrider~~." Washington ABATE member.

- " You seem to have something mixed up here-an organization and a magazine. It must be solely one or the other-with ALL ABATE people from all different states where existing chapters are now and have been in existence, not M.M.A people directed or magazine people directed."

O.K. -There were some of the comments recently-let "ABATE National: know YOURS!!!

A copy of this package is going to every ABATE organization we can contact, to other interested members, "ABATE National/ Easyriders magazine, and to my attorney along with a copy of my last will and testament.

I know you'll respond to something of this importance.

Sincerely,



Luke Metcalfe

Chairman-ABATE OF OREGON

As we get into the section titled "National Organization", we find many ways in which we could benefit. There is even more that could be done such as safety programs and fair insurance for motorcycles. The question arises-how is all this going to be paid for? At the national meeting it was mentioned that Easyriders Magazine would be putting up the money to get things going. It sounds really good that for a few lousy bucks someone will be lobbying for us, assisting us with our legislative problems and programs. But it's not as simple as that. While we can all appreciate what Easyriders has done in the interest of bikers, giving time, space, and dollars to the cause, however, it remains the little person in the street who made it all work.

We are not ready to see ABATE become the totalitarian bureaucracy we have been opposed to all along. We would much prefer to be poor and struggling than to sell out our ethics for our interests.

We see in the situation the opportunity to have some good help in certain areas: the benefit of the knowledge and experience of at least one of the people selected to work for us; the fact that being a non-profit corporation- Easyriders could pump in some bucks, paying the salaries of presently employed persons, all as a tax write-off.

Now, if all dues and charges would disappear and all functions financed, managed, and maintained by someone else, it may sound nearly ideal-BUT still it isn't.

ABATE of Oregon will always be opposed to a National organization as long as the governing body consists of persons not elected by ABATE membership or its elected representatives.

We would agree to a national body in a more loosely designed structure-elected as representatives of the membership body and not so all powerful. As you repeatedly see references to non-elected body, does it all ring a bell? Are we never to rule ourselves? A non-elected body can never be truly representative of the membership.

While no provisions were made for funding a National office, it was suggested by a "temporary" member of the proposed Board of Directors that all membership dues would be sent directly to the National office and dispersed from there. All membership cards would be issued by the National office. This is totally unacceptable to ABATE of Oregon.

Notice was taken that the issue of Easyriders to hit the streets at the time of the national meeting at Lake Perry had an application to Abate National for \$10 per year.

It has been brought to our attention that some changes have been brought about since Lake Perry-instead of the 16th street address, there is now a post office box number:

However, when you dial 916-442-4727(MMA) or 916-442-5271 (ABATE National), the same lady answers the phone. One bright note-the Board of Directors are now nine, we understand, and our information is that Wanda Hummel from Indiana and Padre are among those. These two people are hard-working, down-to-earth motorcycle people and at least a step in the right direction-but what's the direction when something like 5 or 6 of the 9 Board of Directors of ABATE National are owners/partners/employees of Easyriders Magazine?

These ideas and comments are put forth on the behalf of ABATE of Oregon in concern for all motorcyclists and as an exercise of our Freedom of Speech.

M E M O

October 3, 1977

TO: All ABATE Chapters
FROM: Lou Kimzey
SUBJECT: Amendments to ABATE By-Laws

At the Kansas City meeting, there was considerable discussion regarding the recent by-laws which we sent you. Following are the changes that were discussed at length, voted on, and approved.

Page 1, para. 1, line 3:is located at P. O. Box 162062, in the City of Sacramento, County of Sacramento, State of California 95816.

Page 3, Article III, para. 1, line 2: Corporation shall be nine (9).....

Page 4, para. 3, line 2: ...by a vote of seven (7)...

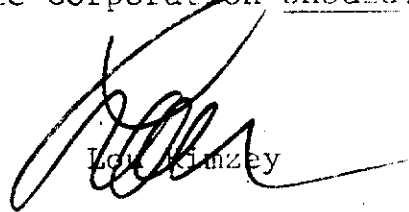
Page 5, para. 8, line 1: Six (6) members of the.....

11th page, para. a, line 2: P. O. Box 162062, Sacramento, California 95816.

11th page, para. c: Be governed by a nine (9).....

14th page, 18th line: Each State Corporation should...

LK:ms



Lou Kimzey

ABATE of Oregon


-2-

How many members do you presently have?

The first Board of Directors meeting will be held on October 22, 1977, and we would like your views prior to that time.

If you have specific questions regarding the enclosed, please feel free to call me or Keith Ball (collect) at (213) 880-4240. If we're not in, we'll call you right back.

Best personal regards --
and ride safe,


Lou Kimzey
National Director

LK:ms
Enclosures

PURPOSE

To form a United Motorcycle Riders Association, both at the individual state level as well as at a National level. Giving the street biker a strong, united, powerful, voice in regards to his/her future, his/her way of life, and dedicated to his/her freedom.

BY-LAWS OF

ABATE

Article I - Office

1. The principal office of ABATE (a national non-profit corporation) for the transaction of its business at the national level is located at 2202 16th Street, in the City of Sacramento, County of Sacramento, State of California.
2. The County of the principal office may be changed only by amendment to the Articles of Incorporation and not otherwise.
3. The corporation may also have auxiliary offices at such other places, within or without the State of California, where it is qualified to do business, and its business may require and as the Board of Directors may from time to time designate.

Article II - Membership

1. The corporation shall have to (2) classes of membership; one voting and one non-voting.
2. The voting membership of the Corporation shall be made up of the members of the Board of Directors in numbers hereinafter specified, whose term shall continue until a successor is designated by the Board of Directors.
3. Any person who meets the financial and other requirements which the Board may from time to time establish, may become a non-voting member of this Corporation. No member shall hold more than one (1) kind of membership in the corporation at any one time.
4. Applicants shall be admitted to non-voting membership, on making application in writing, to the Corporation and by payment of the annual dues.
5. The rights and privileges of the non-voting membership shall be determined by the Board of Directors.
6. The Board of Directors, from time to time by resolution, may change the annual dues the non-voting membership is required to pay the Corporation. The first annual dues shall be payable and submitted in full with the application. Future annual dues shall be due and payable on the anniversary date of the members admission to the Corporation. Membership shall be non-assessable, non-transferable and non-assignable.
7. No member of this Corporation shall be personally liable for the debts, liabilities, or obligations of the Corporation.

8. The Board of Directors shall provide for the issuance of membership cards. Each card shall state the dates for which it is valid and shall have printed on its face in clear type that the Corporation is non-profit. The form, size and contents of the membership card in all other respects shall be fixed from time to time by resolution of the Board of Directors. The name and address of each member and the date of issuance of the membership card shall be entered on the records of the Corporation. If any card shall become lost, mutilated, or destroyed, a new card may be issued therefore on such terms and conditions as the Board of Directors may determine.
9. The membership of any member of this Corporation shall automatically terminate: (a) On a written request for such termination delivered to an officer of the Corporation personally or by United States mail; (b) On the death of the member; (c) Suspension from membership in the Corporation by four (4) votes of the Board of Directors for good cause as used herein requires that the member, after having received notice and having had an opportunity to be heard before the Board, is found to have failed to comply with the rules and regulations promulgated by the Board, or has committed acts prejudicial to the purposes or welfare of this Corporation.

Article III - Directors

1. The number of members of the Board of Directors of this Corporation shall be five (5) unless changed by an amendment to these by-laws.
2. Each member of the Board of Directors shall serve until his or her successor is elected by the Board of Directors.
3. A member of the Board of Directors may be removed from the Board at any time by a vote of four (4) members of the Board.
4. Vacancies on the Board of Directors shall exist (a) On the death, resignation, or removal of any director; (b) Whenever the number of Directors are increased, and; (c) On failure of the members of the Board to elect the full number of Directors; (d) Failure by any Director to attend regular Board meetings on three (3) consecutive occasions unless excused by action of the Board.
5. Directors shall receive no compensation for their services as Directors, but shall be allowed and paid their actual and necessary expenses in attending Director meetings.
6. Regular meeting of the Board of Directors shall be held at the principal office of the Corporation, unless otherwise designated by the Board of Directors on the second Monday of January, April, July, and October of each year.

7. Special meetings of the Board of Directors may be called by the President or by Three (3) members of the Board and such meeting shall be held at the principal office of the Corporation, or at any other place so designated.
8. Four (4) members of the Board of Directors shall constitute a quorum for the transaction of business of the Corporation.
9. Every act or decision done or made by a majority of the Directors present at a meeting duly held, at which a quorum is present, is the act of the Board of Directors, unless the law or the Articles of Incorporation or these By-laws require a greater number.
10. All meetings of Directors shall be governed by "Roberts Rule of Order" and presided over by the President of the Corporation, or, in his absence, the Vice-President, or, in the absence of both, by a Chairman chosen by the majority of the Directors present. The Secretary of the Corporation shall act as Secretary of the Board unless the presiding officer, in the Secretary's absence, appoints another.
11. The Directors shall not be personally liable for the debts, liabilities, or other obligations of the Corporation.

Article IV - Officers

1. The officers of the Corporation shall be a President, a Vice-President, and a Secretary-Treasurer. The Corporation may also have, at the discretion of the Board of Directors, other officers appointed.
2. Officers, including those appointed at the discretion of the Board of Directors, shall be chosen annually from among the Directors by the Board at the first regular meeting of each year.
3. Any vacancy caused by death, resignation, or otherwise of any officer, shall be filled by the Board of Directors for the unexpired portion of the term.
4. The President shall be the Chief Executive Officer of the Corporation and shall, in general, subject to the control of the Board of Directors, supervise and control all business and affairs of the Corporation. He shall perform all duties incident to his office and such other duties as may be required by law, the Articles of Incorporation of this Corporation, or by these By-laws, or which may be prescribed from time to time by the Board of Directors. He shall preside at all meetings of the Board of Directors and be ex-officio member of all standing committees.

5. The Vice-President shall, in the absence of the President, perform all duties required of the President and act as an ex-officio member of all standing committees.
6. The Secretary and Treasurer shall keep all minutes of the meetings, a complete and accurate account of the membership records, and perform all duties incident to the office of Secretary. He shall deposit all funds of the Corporation and maintain a record of all income and disbursements of such funds. He shall keep accurate books of account and report periodically to the Board of Directors as to the financial condition of the Corporation. Withdrawals from Corporation funds shall be made only by check signed by an officer of the corporation. He shall act as an ex-officio member of all standing committees.
7. The salaries of the officers shall be fixed from time to time by the Board of Directors and an officer shall not be prevented from receiving a salary by reason of the fact that he is also a Director of the Corporation.

Article V - Miscellaneous Provisions

1. The Board of Directors, except as otherwise provided by the By-laws, may by resolution authorize any officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or conformed to specific instances. Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement, or to pledge its credit, or render it liable pecuniarily for any purpose or amount.

What about other members? 2. The President shall cause to be prepared and submitted to the Board members an annual written report, including a financial statement from the Treasurer, and cause to be prepared all reports necessary for governmental agencies and to pay all taxes and other charges against the Corporation.

3. The Board of Directors may adopt and use a corporate seal to be affixed on all Corporation instruments and imprint of such seal is affixed hereto.
4. The fiscal year of the Corporation shall be from the first regular meeting.

Article VI - By Laws

1. These By-laws shall become effective immediately on adoption.

Article I

1. At the National meeting there was some opposition to the National office being one and the same as the M.M.A. (Modified Motorcycle Assoc.)
2. Articles of Incorporation not introduced. We have no knowledge of their contents.

Article II

1. Unfortunately, there is no provision for the membership to ever vote on anything.
2. Here the voting members (Board of Directors) vote on itself - no provisions are made anywhere for elections of Officers or Members of the Board to be elected by the general membership. Nor are there any limits on the length of terms in office with the exceptions of death or removal as noted in Article III, pg. 2, nos. 3,4.
5. Your rights and privileges as a member are being determined by a non-elected body - in this case a self-appointed Board of Directors.
6. "...may change the annual dues the non-voting membership is required to pay the Corporation." Corporation being the Board of Directors which has the power to elect themselves as Officers who are able to receive a salary.
8. We prefer to continue maintaining our records and issue memberships on a state level. We are sure we have been much more effectively working at this level in the past. We also have many members who do not wish their names and addresses deposited in a computer bank.
9. It would be one of our greatest hopes that no dues paying member ever be suspended by a non-elected body.

Article III

1. "...shall be 5", etc. Again, where lies the power to ammend? -- in the Directorship.
2. "....each member" etc. Again as long as sucessors are chosen by the Board of Directors, it remains too much of a self-interest situation. In other words this original non-elected body of 5 can elect (select?) members of their choice continuously while the general membership stands by without ever having a voice in these matters.
3. Here we find the Board of Directors having the power to remove a member of the same while the general membership is helpless.
4. "...whenever" etc. Here is the power to increase the number of Directors(regardless of the reason) without the consent or approval of the General Membership.
5. (Refer to Article IV number 7.)
- 10 "Robert's Rules["] was felt (and indeed, was proven) to be especially restrictive to a Bikers life-style.

Article IV

1. & 2. The Board of Directors here given the power to appoint officers to carry on organizational business without sanction of the General Membershin.
7. As a member of the Board of Directors one may vote onesself an Officer thereby being eligible to receive a salary denied to you as a member of the Board of Directors. *

2. Amendments to these By-laws shall become effective immediately on adoption unless otherwise designated by the Board of Directors.
3. The original, or copy of the By-laws, as amended shall be kept in the office of the Corporation at all times for inspection by the Board of Directors.

Approved and adopted:

↪ Again, what about other members?

PRESIDENT

SECRETARY



Dedicated to Freedom of the Road

September 28, 1977

ABATE of Oregon
Luke Metcalf
P O Box 4504
Portland, OR 97208

Luke:

Sorry about not making the Kansas City confab, but as you've heard, I went belly-up the very day I was to leave for the meeting -- had to do it right, of course. Paramedics, firemen, policemen (policemen?) -- the whole enchilada. But I'm okay now which is the reason I'm just gettin' around to communicating with you.

First off, in accordance with the motion made at the National Coordinators Meeting in Kansas City to form a national ABATE organization and the adoption of that proposed motion, we've set the wheels in motion.

Since a quorum was not present at that meeting, we're contacting you for your comments and opinions.

We'd appreciate the return of your ballot and the information requested in the enclosed self-addressed, stamped envelope.

Please indicate your opinions below by circling either "Yes" or "No."

Yes No Do we want to form ABATE into a unified national organization? *NO*

Yes No Do you accept the proposed plan (enclosed) as amended? *NO*

Yes No Is your chapter still active? If so, ~~what~~ are the people in charge? Please give name, address, and phone number of each. (This information can be written on the back of this page.)

Yes, Yes. NO

Ron Roloff
c/o 16th St.
Sacramento, California
95818

Ron,

Recently at the National ABATE convention in Kansas
it was brought up to have a National ABATE.

I do not believe and will not support any National
ABATE organization.

I believe that it should be ran by each state and
Easyriders should stay out of how the state runs thier organization

I hope that you do not decide to take the position
that has been offered to you by Easyriders. For I will not
support you.

David Thierolf

ABATE of OREGON
P.O. Box 4504
Portland, Oregon 97208



Dedicated to Freedom of the Road

Sept. 29, 1977

Mr. David Thierolf
ABATE of Oregon
P.O. Box 4504
Portland, Oregon

Dear David:

I recieved your letter pertaining to ABATE National, Easy Rider magazine, and my personal involvement.

David, from your letter, I believe that your are somewhat mis-informed. There are no plans for the National to take over running each state.

The plan clearly calls for each states solvency with the National office assisting the state in obtaining the goals of thier members. Steps for doing this were clearly outlined in the written proposal and in Kansas.

As for Easy Rider, I'm sure you are aware that Easy Rider started ABATE some four and a half years ago. Since then, they have maintained a National Director, supplied postage, printing of material, a vass service and the volume of the magazine at expense for which they have never asked anything in return.

To now tell them to stay out of an organization that they not only own, financed and created, seems somewhat unrealistic.

As for myself David, I can only state that I believe there is a need for a strong National Biker Rights Organization. Therefore, I have accepted the position offered me, by Easy Rider, in hopes of obtaining that goal.

P99



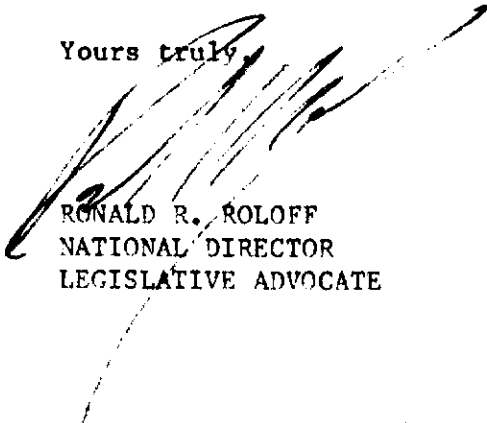
Dedicated to Freedom of the Road

I would sincerely hope that you would give me your support.

I also hope that before you make any decision, pro or con, that you would take the time to call me, collect, a/c 916-446-5271 so that we might have the opportunity to meet, talk, and answer or clear up any questions you might have.

I look forward to hearing from you. Thank you for your letter and frankness.

Yours truly,


RONALD R. ROLOFF
NATIONAL DIRECTOR
LEGISLATIVE ADVOCATE

cc: file

pg 10

Vic :

9/22/78

YOU ARE RIGHT ON MOST POINTS IN YOUR LETTER. BUT THE NATIONAL THAT WAS ELECTED IN DAYTONA IS DOING ALL THAT WE CAN WITH ALMOST NO COMMUNICATIONS RECEIVED BACK FROM THE STATES. IT SEEMS A FUTILE EFFORT.

I REFUSE TO ACCEPT RESPONSIBILITY FOR DISHARMONY WHICH HAS BEEN DONE BY LOU KIMSEY AND COMPANY. MY RESIGNATION FROM ABATE IS IMMEDIATE. I HAVE WORKED OVER 3 YEARS FOR THE ABATE CAUSE AND BIKERS AND AM NOW BEING KICKED AT FROM EVERY DIRECTION. I DO NOT NEED IT. LET THE ONES WHO COMPLAIN LOUDLY SOLVE THE PROBLEMS AS THEY SEEM TO KNOW ALL THE ANSWERS.

DEPARTING

Paul Kimsey

It has reached a point in time that you, an ABATE of Texas member, must write us at once. It only takes five minutes and a 15 cent stamp, so get off your lazy rear end and do it as soon as you finish this newsletter. This is not going to be an election, just a poll to find your opinion. Here's what it's all about-----

As near as I can get to it, this is what is happening. Lou Kimzey started ABATE a few years ago and built it into the strongest bike group in the world. The whole idea was based on the idea that each state take care of themselves, and it worked beautifully all this time. That part was easy, but now it gets a little tougher. Enter - SOME PEOPLE that want a National ABATE - to make a long story short, Exit Lou Kimzey. That leaves SOME PEOPLE that want National ABATE. SOME PEOPLE cannot agree. Result, Two National ABATEs. It's still not too bad yet, so just read a little more. Here in Texas, we kick all this around and decide we will check out both Nationals. My telephone bill has gotten well out of hand doing this and we still have nothing. We sent the required \$10 to one National with a letter requesting information on becoming a state chapter of their end of the National deal. Now this one does not list an address or telephone number, just a P.O. box number, so there is nothing else I know of to do. They sent us a membership card, newsletter, and nothing else. Moral - blow one ten dollar bill - we need another ABATE membership card and newsletter like we need to be kicked where the sun don't shine - we print them ourselves a thousand at a time. Now, the plot begins to thicken. The other National does have a telephone, several of them in fact, but they have done nothing but talk, at my expense. Now, to let the plot get better, there is one person by the name of Paul Hendley who is in charge of our area for this National, and won't, as in will not, talk. Three months of trying to reach him with no result has turned me off. I promised you something better, so here it comes. SOME PEOPLE who call themselves National ABATE have had the foresight to Inc. themselves. Now what this means is that we, ABATE of Texas, may be using their name in violation of the law. The other SOME PEOPLE told me over the phone, at my expense again, that a name change is in order. They suggest M.R.A., Motorcycle Rights Assn. That is just about enough of this bullshit - write me and let me know whether you favor pushing harder to hook up with one or both National SOME PEOPLES, if you favor staying on our own, if you want a name change, if you want me to go to hell, or whatever. This page of the newsletter is at my expense and cost ABATE of Texas nothing, so at least show the courtesy of answering.

Ride Hard & Stay FREE

Artie Hebert

Artie Hebert

3520 10th Street

Port Arthur, Texas 77640

713-982-5244 (no collect calls, please)

P.S. Don't miss Lou Kimzey's two page article in the Nov. '78 issue of EASYRIDER, on pages 26-27. Also, the ad from Texas ABATE on page 114 is from Paul Hendley, not our group. Our membership records do not show that Paul Hendley has a membership in ABATE of Texas. I went through approximately 500 memberships, and his name does not appear.

COPY OF LAST PAGE
OF THE NEW TEXAS
ABATE NEWSLETTER.

HELL, I STARTED TEXAS
ABATE IN LATE 1974 AND
TURNED IT OVER TO HIS
CHAPTER IN 1978. IF I'M
NOT EVEN A MEMBER - WHERE
DID HE GET HIS ABATE POSITION
TO BITCH FROM? *J.R.*