

Constitution

(last amended August 2007)

TRI-STATE AMATEUR RADIO SOCIETY, INCORPORATED

Federal Communications Commission Rules and Regulations specify in Paragraph 97.1 "the rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

1. Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communications service particularly with respect to providing emergency communications.
2. Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.
3. Encouragement and improvement of the amateur service through rules, which provide for advancing skills in both the communications and technical phases of the art.
4. Expansion of the existing reservoir within the amateur service of trained operators, technicians, and electronics experts.
5. Continuation and extension of the amateur's unique ability to enhance international goodwill.

We, the designers of this constitution, proclaim the accomplishment of the foregoing principles as the primary purpose of this group and do hereby constitute ourselves the Tri-State Amateur Radio Society and enact this constitution as our governing laws.

ARTICLE I

All provisions of previous constitutions of the Tri-State Amateur Radio Society are hereby repealed and the constitutional provisions and bylaws enacted hereunder shall be the governing laws of the Society.

ARTICLE II Name

The name of this organization shall be Tri-State Amateur Radio Society, Incorporated or abbreviated with the letters TARS as used herein.

ARTICLE III Government and Management

Section I: The officers of TARS (to be elected for a period of one year) shall be:

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer

Section II: There shall be six Directors to be non-officer members of TARS, elected for a two-year term, three each alternating years.

ARTICLE IV Duties of Officers

Section I: The President shall preside at all meetings, represent TARS in all external affairs, vote on all questions where a vote affects the issue, be an ex-officio of all committees (except the Awards Committee), call special meetings, appoint committees as necessary and enforce the constitution and rulings of TARS and its Board of Directors.

Section II: The Vice President shall in the absence of the President, preside at all meetings of TARS and of the Board of Directors and should the office of the President be vacated before the expiration of the current term, the Vice President shall automatically become the President for the remainder of said term. The Vice President is program chairman.

Section III. The Secretary shall keep a record of the proceedings of all meetings of TARS, the Board of Directors, and all committees. The Secretary shall see that a least a summary of the activities at all TARS functions is recorded and supplied to the editor of the club newsletter. The Secretary shall submit to the

membership and/or the appropriate officers all communications received pertinent to the business of TARS.

Section IV. The Treasurer shall receive and receipt all monies paid to TARS and shall deposit same in the official depositories of TARS. The Treasurer shall disburse same by directive from the Board of Directors. The Treasurer shall be responsible for the compilation of correct names and addresses of all members and periodically provide the newsletter Editor with a current, accurate mailing list. The Treasurer shall inform the membership, when necessary, regarding the eligibility of voters or candidates for office. The Treasurer shall keep all the financial records of TARS and shall submit a financial statement monthly to the Board and to the newsletter Editor for distribution to members only each month.

ARTICLE V Board of Directors

Section I. The term "Board of Directors" or "Board" as used herein shall refer to the six elected directors plus the four elected officers.

Section II. The Board shall propose the policies and generally direct the activities of TARS and approve all bills for payment and exercise general management of TARS. Such control shall not take away the individual members' rights to approve any expenditure or activities as long as they are members in good standing. Such right to approval shall take the form of votes where the majority rules.

Section III. The Board may, at any meeting, counsel with committees or committee chairpersons relative to TARS business. The Board has the right to summon same into joint session.

ARTICLE VI Membership:

Section I. To be eligible for membership, an applicant must hold a valid Amateur Radio Operator license or have a genuine interest in Amateur Radio.

Section II. Membership in TARS will be as follows:

- a. **REGULAR MEMBERS:** Regular membership in TARS shall consist of those persons holding a valid Amateur Radio Operator license who want full voting privileges and Sparks and pay the assigned dues.
- b. **Associate Members:** Associate membership in TARS shall consist of those persons with a genuine interest in Amateur Radio. They shall not hold elective office or vote. They will be sent copies of Sparks.
- c. **Student:** Student membership shall consist of those persons who hold valid Amateur Radio Operator license or have a genuine interest in Amateur Radio and who are attending a recognized institution of learning on a full-time basis. Their privileges shall be the same as an Associate Member.
- d. **Senior:** Senior membership shall consist of those persons holding a valid Amateur Radio Operator license, 65 years of age or older, who want full voting privileges and Sparks and pay assigned dues.
- e. **Handicapped:** Handicapped membership may be extended to those individuals who, because of their handicap, are unable to obtain gainful employment. They will be allowed the privileges and pay the membership costs as Senior Members. The Board will act on each application for Handicapped Membership on an individual basis.
- f. **Members in good standing** are those who have no debts or legal action incurred between themselves and TARS, whose dues are paid up and has no action pending for expulsion.

Section III. Any member or prospective member may be expelled from or denied membership by a majority vote of the franchised members present at two consecutive meetings, if he/she knowingly and willingly violated a law, rule, or regulation of the Federal Communications Commission or the TARS Constitution; or where, in the opinion of the majority of the members, he/she has ceased to be a person of good character or in good community standing.

ARTICLE VII Meetings:

Section I. Regular monthly meetings shall be held on dates set by mutual agreement of members at such places, as the President shall designate. In the event it is impossible to hold the meeting on the regular date, members shall be so informed of the change in a reasonable time prior to the meeting. Such action should never be done by Amateur Radio only. Use of announcement by broadcast radio, telephone, or other measures should be used to make maximum effort to reach members who may not, for whatever reason, hear word spread via amateur radio.

Section II. Special meetings may be held at the discretion of the President or the Board.

ARTICLE VIII Amendments

Section I. This constitution may be amended only by vote of two-thirds of the total franchised members present at the time of voting or voting by pre-distributed ballots.

Section II. To amend this constitution, the following procedure must be observed;

- a. Proposals for amendment must be submitted, in writing, to the Secretary at a regular meeting of TARS and read to the members present at that time and at the next two successive regular meetings. Also, the contents of said amendment shall be printed in two successive issues of the club newsletter.
- b. At two successive regular meetings, there must be an affirmative vote by two thirds of the franchised members present or voting by mail.
- c. Voting on amendments and/or proposals of amendment shall occur only on regular meeting dates and by franchised members.

ARTICLE IX

Robert's Rules of Order shall be the parliamentary authority for all matters of procedure not specifically covered by this constitution or its bylaws.

CURRENT BYLAWS

(last amended May 2019)

ARTICLE I Elections

Section I: To be eligible for election to any office or to the Board of Directors, the franchised member must have been a member in good standing for at least the last twelve months leading up to the election.

Section II: To be eligible for an appointive office of TARS, the member must have been in good standing for at least six months previous.

Section III: Election of officers shall occur at the regular November meeting of TARS.

Section IV: Election shall be by secret ballot and participated in by all franchised members in good standing who are present at the appointed time or have chosen to exercise their right to vote through the U.S. Mail.

- a. The board shall appoint a four person nominating committee consisting of at least one member who has held an elected office in TARS. This committee shall be appointed at least 30 days before the September meeting. It should seek nominations from the floor for offices and Board vacancies at both the September and October meetings. In addition, this committee shall actively seek qualified candidates for all offices and Board vacancies.
- b. After the October meeting, the nominating committee shall prepare a ballot containing the names of all qualified candidates and mail it with Sparks in time for return to the Secretary before the beginning of the November meeting.
- c. Ballots on votes for officers and directors received by mail and collected from the floor at the November meeting shall be counted by three TARS members and then announced prior to the close of the meeting.

- d. In the event the President or any other officer or board member resigns or otherwise leaves office in mid term, the board is authorized to call a special election, if necessary, to fill the vacancy.

Section VI: Officers of TARS or members of the Board of Directors may be removed from office on the motion and second by franchised members at two consecutive meetings and by a majority vote of those franchised member attending each meeting.

Section VII: It is the desire of the membership that the nominating committee try to get the Vice President to move up to the President's office, the Treasurer succeed the Vice President, the Secretary take the Treasurer's office and elect a new Secretary, or, if they prefer the Secretary and/or Treasurer may run for re-election rather than change office.

Section VIII: When issues for members to vote on are sent by mail, these ballots must be received by the Secretary no later than the beginning of the meeting following receipt, failure to receive in time does not mean action based on received ballots cannot be held legal and final.

Section IX: Newly elected officers and directors who are to be installed at the January meeting should attend the December Board meeting to meet with the outgoing officers and directors before they take office.

ARTICLE II Dues and Assessments

Section I: The dues of both the franchised and associate members shall be in the amount approved by membership vote, subject to periodic review and adjustment. Student dues shall be fifty percent of this amount.

1. Full membership dues shall be \$25.00 annually, due in January.
2. All dues shall be paid promptly in the month of January and be accompanied by the TARS membership application. Dues shall be for a full calendar year, regardless of when received, except that dues received after July 1 will be 50% of the annual dues for each membership class.
3. It is the Treasurer's duty to notify members that their dues are in arrears.

Section II: Any assessment in excess of one dollar requires approval by the vote of a majority of the voting members of TARS present at any regular meeting. No family shall be assessed more than one full membership unless they wish individual voting privileges.

ARTICLE III Limitation of Liabilities

Section I: TARS shall not be liable for the actions of any individual member or group of members of TARS not authorized by the officers or the Board of Directors.

Section II: TARS shall not incur or perpetuate any liability or obligation whatsoever that will subject any individual member or group of members of TARS to public liability.

Section III: All obligations shall be for the benefit and purposes of TARS and its membership as a whole.

ARTICLE IV Insurance

Section I: It shall be the policy of TARS to maintain adequate liability insurance to sufficiently protect TARS and its members, regardless of class.

ARTICLE V TARS Newsletter:

- a. The name of the Society's newsletter shall be "SPARKS."
- b. The President shall appoint a member of TARS to act as editor of the newsletter during his/her term of office. The editor shall serve at the discretion of the President and the Board jointly, and this editor shall have the authority to appoint assistants.

ARTICLE VI Awards Committee:

- a. The Awards Committee shall be a standing committee whose purpose is to recognize members through awards, certificates, plaques, etc. for participation in club events and activities or for providing other service or leadership to the club. Recognition awards will be defined by this committee or by the Board of Directors.
- b. The Awards Committee shall consist of:
 1. A Chairperson who is selected by majority vote of the TARS Board of Directors. The Chairperson must be a past John E. McCutchan Award recipient and may serve as long as he or she wants provided they remain a member in good standing. However, the Board of Directors can at their discretion and by majority Board vote remove and replace this individual.
 2. Up to 4 committee members, selected by and at the discretion of the Committee Chairperson.
 3. A John E. McCutchan Award subcommittee whose sole purpose is to select annually the new recipient or recipients for the John E. McCutchan Award. This award is presented to a member or potentially multiple members who during the year has made significant contributions to local amateur radio.
 - i. The John E. McCutchan Award Subcommittee consists of the Awards Committee Chairperson and the 2 most-recent recipients of the John E McCutchan Award. If 1 or both most-recent recipients are not able to serve, then the Chairperson must select the most-recent recipients who can serve.
 - ii. The John E. McCutchan Award subcommittee can determine the manner by which candidates for this award will be determined, and will select the winner.
 - iii. The committee can at its discretion determine that no John E McCutchan Award will be awarded in a given year if no qualified deserving candidate is recognized.
 4. All members of this committee and subcommittee must be TARS members in good standing, and must participate in club activities so as to enable them to identify qualified individuals and behavior deserving recognition or awards.
- c. The TARS Board of Directors has oversight of this committee, and must approve a budget and all expenditures. The Committee Chairperson or their delegate must review committee plans and activities with the TARS Board when requested by the Board. The procurement of certificates, plaques, and other awards materials is the responsibility of the Awards Committee Chairperson who will be reimbursed for approved amounts.

ARTICLE VII Affiliation:

- a. It shall be the policy of TARS to affiliate itself with the American Radio Relay League.
- b. It shall be permissible for TARS hereafter to affiliate itself with any and all recognized and reputable organizations now existing or arising for the furtherance of Amateur Radio and the common good of TARS.
- c. Such affiliation must be approved by the Board and receive an affirmative vote of franchised members.

ARTICLE VIII

- a. Regular meetings will be held on the second Thursday of each month at 7 p.m. at the American Red Cross building. The Board of Directors will meet the first Thursday of each month at 7 p.m. at the American Red Cross building.
- b. The cost of an ad in Sparks shall be set by the Board at its first meeting of each year.
- c. TARS will reimburse members for instructional materials used in conjunction with classes taught to non-members. Payment of same is contingent on the presentation of valid proof of expenditures to

the Treasurer or a Board member.

- d. In the absence of the Treasurer or in case of incapacity due to illness, the Secretary or other designated board member is empowered to write checks and pay bills. Such actions shall be reported in detail to the Treasurer and in the Sparks issue that follows such action.

ARTICLE IX

Amendments to any of these bylaws, if in conformity with the constitution, may be adopted by a vote of two-thirds of the franchised members present at any regular meeting of TARS provided the membership has been notified in writing at least one week prior to the meeting date.