

Constitution
BY-LAWS OF THE KANSAS HAWKING CLUB
RATIFIED AUGUST 1ST 1992

ARTICLE 1. MEMBERSHIP AND DUES

Section 1. Membership Categories and Criteria

- A. REGULAR MEMBERSHIP is open to residents of the State of Kansas, 14 years of age or older, who have and hold a valid resident Falconry license, or Propagation Permit.

- B. CLUB MEMBERSHIP shall be open to any other person 14 years or older, and all non-resident falconers.

- C. AFFILIATE MEMBERSHIP shall be open to any reputable organization, local, regional, national, or international, having objectives and purposes similar to or allied with those of this Club.

Section 2. Admission to Membership

- A. Admission to all categories of membership shall be within the discretion of the Officers as specified in the Constitution. For admission of any person or organization, the concurrence of a majority vote of the Officers shall be required.

- B. Applicants shall submit a membership application and the current dues prior to acceptance. The application shall include the applicants full name, mailing address and phone number. The application shall also provide space for a brief statement of the applicants falconry experience, and shall provide a statement over the applicant's signature indicating the applicant will abide by and support the Constitution and By-Laws of the Association.

Section 3. Number and Duration of Memberships

- A. There shall be no restriction as to the number of memberships in the Association.

- B. Upon the timely payment of the prescribed annual dues, all categories of membership shall extend from calendar year to calendar year without interruption, unless otherwise terminated in accordance with these By-Laws.

Section 4. Dues

- A. Annual dues for all categories of membership shall be established by the Officers and approved by a mail vote of the Regular Membership as prescribed in the By-Laws for amending the Constitution and By-Laws. A two-thirds majority vote of the timely responses in the affirmative shall be required to establish the amount of annual dues for each membership category.

- B. Dues shall be payable to the Secretary / Treasurer of the Club at the time of application for membership, or in case of renewal, between January 1st and February 28th annually.

- C. Advance payment for successive years may be accepted, provided that if such membership is terminated prior to the end of such paid-up period, no refund is permitted. Further, dues shall not be apportionable for any part of a calendar year, either upon admission or termination of such membership.

- D. A late payment fee may be imposed for those not paying prescribed dues in a timely manner. The amount of this late fee shall be determined by a majority vote of the Officers, but shall not be more than fifty percent of dues.

Section 5. Termination or Suspension of Membership

- A. Any category of membership may be terminated by resignation or death of a Member, or upon dissolution of the Club.

- B. Any category of membership will automatically terminate if not renewed by payment of annual dues on or before February 28th annually

- C. Regular Membership may be suspended by the Officers if, in the sole judgment of the Officers, such Member has violated the rules, regulations or By-Laws of the Club, or if in the sole judgment of the Officers, such members' status, motives, or activities are prejudicial to the best interests of the Club. Such suspension shall be imposed only by unanimous vote of the Officers, provided that a statement of the grounds for such action shall be sent by certified mail to the Member at his / her address of record, at least 30 days prior to the action of the Officers, and provided further, that the member may, prior to that date, submit to the Officers any matter of explanation, defense, mitigation, or extenuation. The Officers may not, however, take any action against a Member, while legal action is pending against that Member. Termination of Regular Membership for any of the grounds described require timely mail responses in the affirmative by the Regular Membership.

The provisions of this paragraph are not applicable to the Officers. They must first be removed from office as hereinafter prescribed prior to any suspension or termination of Regular Membership status. While in a suspended status, a Regular Member may not hold any office, nor be entitled to vote.

Section 6. Mailing Address and Phone Number

- A. It shall be the sole responsibility of each Member to maintain a current address and phone number of file with the Secretary / Treasurer of the Club at all times. Such address and phone number shall be used for all purposes within the Club including mailings and determination of residence for voting and election qualifications. This information shall remain confidential to all other purposes except at the written permission of the individual member.

Section 7. Privileges of Membership

- A. Regular Members shall be entitled to all rights and privileges of the Club,
 - B. including the right to vote, and serve as an Officer.

- B. Associate and Affiliate Members shall be entitled to all rights and privileges of the Club, except the right to vote and hold Office within the Club.

ARTICLE II AFFILIATION

Section 1. The KANSAS HAWKING CLUB shall maintain an affiliation with the North American Falconers Association (NAFA). In the event that less than fifty percent of the Club are members of NAFA, then the Officers, shall canvas the membership and determine which K.H.C. Members are not members of NAFA., then the Officers shall authorize the payment of NAFA dues so that the Club remains affiliated with NAFA.

ARTICLE III THE OFFICERS

Section 1. Electorate, Qualifications, and Terms of Office

A. Electorate. The officers of the Club shall be elected from the Regular Membership, by the Regular Membership, as follows:

1. The President, Vice-President, and Secretary Treasurer, shall be elected by the regular membership residing in the State of Kansas.

B. Qualifications

1. A nominee for any Office must be a resident of the State of Kansas and must hold a current valid Kansas Falconry License and / or a Raptor Propagation Permit and further be a current member in good standing in the Kansas Hawking Club.

C. Terms of office shall be as follows:

1. The term of the President is to commence January 1st following ratification of these By-Laws, and from thenceforth be for a period of two years, changing on even numbered years.
2. The term of the Vice-President is to commence January 1st following ratification of these By-Laws, and from thenceforth be for a period of two years, changing on even numbered years.
3. The term of the Secretary / Treasurer is to commence January 1st following the ratification of these By-Laws, and from thenceforth be for a period of two years, changing on even years.

Section 2.

- A. The officers shall have general authority to plan for, and supervise the election of Officers. Voting rules and procedures to be promulgated by the Officers, shall, among other matters:
1. Permit completion of regular elections not less than 30 days prior to expiration of the affected incumbent's term of Office, and provide for complete confidentiality of all ballots cast.
 2. Provide to all Regular Members timely notice of both nominations and elections, and further provide all Regular Members reasonable opportunity to nominate and vote for Club Officers.
 3. Insure that at least two qualified candidates are nominated for each position to be filled, and that each nominee is willing to accept the responsibilities if elected. Active competition for election is encouraged.

4. Insure that nominations and elections are conducted in a fair and equitable manner.
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- B. Voting for Officers shall be by mail only and proxy voting shall be prohibited.
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- C. A majority vote of all votes cast shall be required for election to an Office. If no majority vote is received by a candidate, a special election between the two candidates with the most votes shall be conducted as expeditiously as possible. Ties shall require a special election and if not resolved, the tie shall be determined by a majority vote of the Officers.

Section 3.

Authority and Responsibility of the Officers

- A. Authority. The Officers shall have full control and supervision of the affairs of the Club, consistent with the Constitution and By-Laws, and shall be responsible to the Regular Membership for the effective and efficient operation of the Club. Within the discretion of the the Officers, it may delegate to any Officer such authority it deems appropriate.

- B. Non-Profit Tax Law Compliance. Each newly elected Officer shall after taking office and prior to making any decision, entering into any contract, or taking any action, familiarize himself with the Non-Profit tax memo of file with the Secretary / Treasurer. This action is required to insure that the Club Non-profit tax status is not inadvertently compromised.

- C. Contracts. The Officers shall control and manage all funds and property of the Club, including specifically the appropriation and disbursements of its funds. They shall control and authorize the making of all contracts and purchases of the Club. Unless specifically authorized by the Regular Membership, however, they shall have no authority to contract for or otherwise obligate the Association for any debts or obligations greater than the amount of money which shall be in the Treasury at the time, nor in excess of the amount needed to discharge any debts or obligations contracted prior thereto. By authority of the Officers, contracts in the name of the Club shall be signed by the President only. Further, a contract or obligation in excess of \$100.00 shall require approval of the Regular Membership by a mail vote as prescribed in these By-Laws for a Membership Meeting by mail.

- D. Fiscal Planning and Disclosure. On or before April 30th annually, the Officers shall cause to be prepared and shall furnish to all Regular Members, in a quarterly newsletter, a financial statement showing an accurate account of the Club funds, To include all receipts and expenditures. This statement shall also forecast the financial programs for the coming year.

Section 4. Officers Meetings

- A.

The Officers shall meet, either in person or by mail, upon the call of the President at any time, or by the call of two other Officers, but not less than twice each year. The President, or in his absence, the Vice-President, shall preside over all meetings of Officers, except as otherwise prescribed by these By-Laws.

- B. A quorum as such shall not be required, but, unless otherwise prescribed herein, the affirmative vote of not less than three-fourths of the officers, in person or in writing, shall be required for action on any matter. Proxy vote is prohibited.

- C. Meetings of the Officers requiring personal attendance, shall require personal verbal contact or written notice not less than 10 days prior to such meeting.

- D. Not less than 20 days from the date of mailing shall be allowed for reply to any request for vote by mail. Any Officer who shall fail to respond on two consecutive occasions to such request shall be considered to have resigned his Office.

Section 5. Termination and Removal of Officers

- A. With the approval of the Officers, an Officer may resign. The following acts or omissions shall be equivalent to resignation and approval of the Officers shall not be required:
 - 1. Termination of Regular Membership in the Kansas Hawking Club.

 - 2. Failure to make timely response to Meetings of the Officers as stated in these By-Laws.

- B. Any Officer may be removed from Office upon written petition signed by two thirds of the Regular Membership who timely respond. Within 15 days following receipt of such petition, the Officers shall submit the petition to the Regular Membership for vote by mail. Notice and ballot shall be mailed to each Regular Member not less than 15 days prior to the last day upon which votes will be accepted.

- C. In the event vacancies of the Officers should occur in any manner other than be expiration of term, the remaining Officers, by majority vote, shall fill such vacancy from the Regular Membership, provided that such temporary appointment shall continue only until the next regularly scheduled election, at which time the vacancy shall be filled by normal election process.

Section 6.

Submission to the Regular Membership

- A. Within the discretion of the Officers, any matter may be submitted to the Regular Membership for vote by mail. In such event, the Officers shall be bound by the resulting vote of the Regular Membership upon the issue submitted.

- B. Upon written petition of 25% of the Regular Membership any matter including, but not limited to proposed amendments to the Constitution and By-Laws, shall be submitted to the Regular Membership for vote. The Officers shall be bound by vote results.

- C. Within 15 days following receipt of such petition, the Officers shall submit the matter to the Regular Membership for mail vote. The manner of submission and voting on all matters shall comply with the rules pertaining to Membership Meetings by mail; providing that in the instances of establishment of dues, amendments to the Constitution and By-Laws, and dissolution of the Association, a two-thirds majority vote of those responding shall be required, and a total response of 50% of the Regular Membership shall be required.

ARTICLE IV DUTIES OF OFFICERS

Section 1. The President

A. The President shall:

1. Call and preside over all meetings of the Club and the Officers, except as otherwise prescribed herein;
2. Be responsible for the planning and presentation of all matters requiring action by Officers, or action by the Regular Membership, and the expeditious processing of such matters to a conclusion;
3. Timely prepare a club news article for inclusion in the August Chalk Talk;
4. Assume the role of editor / publisher of Club Newsletters and maintain a file of same;

Section 3. The Secretary / Treasurer

A. The Secretary / Treasurer shall:

1. Give pr cause to be given notice of all meetings of the Club;

2. Keep minutes and records of all Regular Meetings and Meetings of Officers, including those conducted by mail, and record all actions of the Offices during such Meetings.
3. Maintain a file of all Club correspondence;
4. Serve as custodian of all Club funds and property, and keep a strict accounting of all receipts and expenditures.
5. Pay only those expenditures authorized by the Officers and which are within the unappropriated budget balances.
6. Deposit all Club funds in a suitable account and insure that signature cards are on file with the institution insuring that arrangements are made so that the account is so restricted that the signatures of any two Board Members shall be required, one of which shall be the President or Vice-President and the other shall be the Secretary / Treasurer, on all checks drawn thereon or withdrawals made therefrom;
7. Prepare or cause to be prepared non-profit information tax returns, and insure that the same is timely filed with extensions if necessary. Maintain a file of all tax returns and related correspondence, including the Non-Profit Tax Memo.

Section 4.

December Hawk Chalk Article

- A. The Officers shall provide for a volunteer to prepare an article for inclusion in the December Hawk Chalk. In the event no volunteer can be found, some Regular Membership shall be assigned the task.

ARTICLE V. REGULAR MEMBERSHIP MEETINGS

Section 1. Time and Place

- A. The Regular Membership may meet physically at any time and shall meet at least once every year, upon the call of the President.

- B. **Quorum.** At a Regular Membership Meeting a Quorum shall consist of not less than 20% of the membership in good standing, represented in person or by proxy, or by written ballot sent by mail for voting on specific subjects previously made known to the membership must be present in person. A majority vote shall control.

- C. **Committee of the Whole.** In the absence of a quorum, those present in person at a Regular Meeting shall act as a “Committee of the Whole” to draft resolutions and proposals for submission to entire Regular Membership. Not less than 10% of the Regular Membership must be present in person. A majority vote shall control.

- D. **Notice.** Written notice of Regular Meetings shall be given to each Regular Member and shall include the time, place, and general nature of business to be transacted. Notice shall be given not less than 15 days prior to such meeting.

- E. **Voting.** The Officers shall provide for proxy voting by written authorization, at a Regular Meeting, and when appropriate for specific subjects, shall provide further for the use of written ballots by mail.

Section 2.

Membership Meetings by mail

- A. **Equivalency of Mail Vote.** Any voting by mail in which ballots are provided to the entire Membership in good standing, shall be equivalent to a Regular Membership Meeting.

- B. **Quorum.** For the purposes of Meetings held by mail, a quorum as such shall be required. Except as provided for the establishment of dues, amendment, and dissolution, a majority (over 50%) of the votes cast by the Regular Members responding in a mail vote, shall control.

- C. **Notice.** Full notice of the issues involved in a vote by mail, including a ballot on which to record the vote, shall be mailed to each Regular Member at his address on file with the Association, not less than 15 days prior to the effective date for counting the ballots.

ARTICLE VI.

CLUB PUBLICATIONS

Section 1. The Vice-President shall be the editor and publisher of Club Newsletters and shall maintain a file of such publications.

Section 2. The Secretary / Treasurer shall distribute the Club Newsletters to the entire Membership (all Categories), and to such other persons as directed by the Officers.

Section 3. Club publications shall be published and distributed at least three times each year, unless the Officers determine that there are not sufficient monies available for such frequency. Also, the frequency may be increased by action of the Officers.

ARTICLE VII. AMENDMENTS TO THE CONSTITUTION / BY-LAWS

Section 1. The Constitution and By-Laws may be amended only at a Membership meeting by mail, provided written notice of such meeting, the proposed amendment, its contents, and a ballot, shall be mailed to each Regular Member in good standing not less than 15 prior to the date fixed for counting ballots. At least 50% response of the total Regular Membership and an affirmative vote of two - thirds majority shall be required for amendment. Proxy vote is prohibited.

ARTICLE VIII. DISSOLUTION OF THE ASSOCIATION

Section 1. In the same manner for amending the Constitution and By-Laws, the Regular Membership may by affirmative vote, terminate the existence of the Club immediately or at a certain future time.

Section 2. In such event, the Officers shall immediately proceed to wind up the affairs of the Club. All property and assets of the Club, including accounts receivable, if any shall be reduced to cash or other suitable disposition made, and all outstanding debts, obligations, or liabilities shall be satisfied insofar as liquidated assets permit.

Section 3. When the above requirements have been satisfied, the Officers shall dispose of any balance of cash or real property to such organizations operated for charitable, ecological, educational, or wildlife conservation purposes, which qualify under Section 501 (C) (3) of IRS Code of 1954, or the corresponding provision of subsequent IRS Law in effect at the time.

Section 4. A full and general accounting of the disposition and dissolution shall be made by the Officers and all Regular Members, and notice of dissolution shall be given to all members as soon as possible after the completion of all dissolution business.