

Constitution
October 15, 2019

SUPERCESSION:

The Emerald Amateur Radio Society Constitution dated October 15, 2019 supersedes in its entirety all previous versions of the Constitution.

PREAMBLE:

Wishing to secure for ourselves the pleasures and benefits of the association of persons commonly interested in Amateur Radio, we do hereby constitute ourselves the Emerald Amateur Radio Society, a not-for-profit corporation hereinafter known as EARS (Club).

PURPOSE:

Section 97.1 of the Federal Communications Rules describes the fundamental purposes of the Amateur Radio Service. The basis and purpose of the Amateur Radio Service includes five principles, two of which are:

- “Recognition and enhancement of the value of the amateur service to the public as a voluntary, non-commercial communication service, particularly with respect to providing emergency communications.”
- “Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.”

It shall be the purpose of EARS to provide auxiliary and emergency communications for the community when regular communications fail or are rendered inadequate.

It shall also be our purpose to further the exchange of information and cooperation between members, to promote radio knowledge, fraternalism and individual operation efficiency, and to so conduct Club programs and activities as to advance the general interest and welfare of amateur radio in the community.

ARTICLE I
MEMBERSHIP

Section 1. All persons interested in amateur radio shall be eligible for membership. Membership shall be by application and election upon such terms as the Club shall provide in its By-Laws. Membership may not be denied because of race, creed, color, religion, gender, sexual orientation, political affiliation, marital status or any other reason that would be biased or prejudicial.

Section 2. Members include all persons described in Section 1 of this article who have paid their dues in accordance with Article V or are otherwise eligible in accordance with the Club By-Laws.

Section 3. A member may be removed from Club membership by a two-thirds vote of the full membership.

ARTICLE II OFFICERS

Section 1. The officers of this Club shall be: President, Vice President, Secretary, and Treasurer.

Section 2. The officers shall be elected from the membership of the Club for a term of one year by vote of the members present provided there is a quorum, at the first meeting in January.

Section 3. A vacant office shall be filled by appointment of the President to fulfill the term until the next regularly scheduled election.

Section 4. In order to hold an office an individual must be a member in good standing and hold a valid Amateur Radio license. (amended October 15, 2019)

Section 5. Any officer may resign his/her position in writing at which time all records and assets of the Club will be turned over to the President or Vice President.

Section 6. An officer may be removed from office by a three-fourths vote of the full membership.

ARTICLE III DUTIES OF OFFICERS

Section 1. The officers of this organization as stated in Article II, Section 1 will comprise a Board-of-Directors which will meet to plan and implement necessary business for the good of the organization.

Section 2. In the absence of the President, the Vice President will assume all duties of the President. In the absence of both President and Vice President, the order of precedence for President shall be:

1. Secretary
2. Treasurer

In the event the designated officer is unable to assume the duties of President as per the above schedule, the next officer in sequence will assume the position.

Section 3. Specific Duties of Officers

Section 3.1 President: The President shall preside at all meetings; he/she shall enforce due observance of this Constitution and the By-Laws, decide all questions of order, sign all official documents that are adopted by the Club, and perform all customary duties pertaining to the President. The President shall at the expiration of his/her term, turn over all possessions belonging to the Club to his/her successor.

Section 3.2 Vice President: The Vice President shall assume all the duties of the President in his/her absence. The Vice President shall at the expiration of his/her term, turn over all possessions belonging to the Club to his/her successor.

Section 3.3 Secretary: The Secretary shall maintain a record of the proceedings of all meetings, keep roll of the members, submit applications for membership, carry on correspondence, read communications at each meeting and maintain a current copy of the Constitution to be available at each meeting. The Secretary shall retain original copies of all Club correspondence. The Secretary shall at the expiration of his/her term, turn over all possessions belonging to the Club to his/her successor.

Section 3.4 Treasurer: The Treasurer shall receive all monies paid to the Club; keep an accurate account of all monies received and expended; pay no bills without proper authorization (by the Club or its officers constituting a business committee). At regular Club meetings, he/she shall submit an itemized statement of disbursements and receipts. The Treasurer shall at the expiration of his/her term turn over all possessions belonging to the Club to his/her successor.

ARTICLE IV MEETINGS

The By-Laws shall provide for regular and special meetings. At meetings, a minimum of one-third of the full membership shall constitute a quorum for the transaction of Club business.

ARTICLE V DUES AND ASSESSMENTS

The Club, by majority vote of those present at any regular meeting with a quorum present, may levy upon the general membership such dues or assessments as shall be deemed necessary for the business of the organization. Non-payment of such dues or assessments shall be cause for expulsion from the Club within the discretion of the membership.

ARTICLE VI AMENDMENTS

This Constitution may be amended by the affirmative vote of two-thirds of the membership present at a regular meeting, or at a special meeting called for that purpose, with a quorum present. Notice of the proposed amendment(s) and the date, time and location of the Meeting will be furnished to all Directors and Members in accordance with the By-Laws.

ARTICLE VII COMPENSATION

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by any organization exempt from federal income tax under section 501 (c) (7) of the Internal Revenue Code, corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Amateur radio public service communications are furnished without compensation of any kind. (FCC Reg. Part 97, Section 97.113).

ARTICLE VIII CLUB CALL SIGN

The Club may elect to apply for a club call sign as provided by FCC rules Part 97.

The President shall assign trusteeship of the club call sign. The trustee shall:

- Be a member of the Club in good standing
- Meet FCC requirements.
- Not had his/her Radio Amateur license revoked or sanctioned at any time.

ARTICLE IX DISSOLUTION

Section 1. Termination of Operations: In the event that the Board of Directors votes that the Club should be dissolved the motion for dissolution must receive more than two thirds vote of the full membership to pass.

Section 2. Disposition of Assets: The Board of Directors shall handle the disbursement of all assets of the Club. No member or group of members shall receive benefit from the assets. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (7) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for the public purpose.