

# CONSTITUTION



## PREAMBLE

The name of this corporation shall be Concerned Bikers Association / A.B.A.T.E. of North Carolina, Inc. and is organized as a non-profit corporation in the State of North Carolina, formed by motorcycle riders, established to accomplish the following goals:

- 1) To form a united motorcycle riders organization both at the local as well as the state level.
- 2) To promote fair motorcycle legislation and to insure motorcyclists freedom by working to prevent enactment of and to work to repeal unfair motorcycle legislation.
- 3) To work toward the elimination of prejudicial attitudes toward motorcyclists.
- 4) To promote motorcycle education and rider training programs, and public motorcycle awareness programs.
- 5) To improve the public image of motorcycling by participating in public service and charitable projects.
- 6) To foster a sense of brotherhood, sisterhood, and cooperation between all motorcyclists.

## Article I MEMBERSHIP

- 1) Membership shall be as stated in this Constitution and in accordance with the requirements of the By-Laws.
- 2) Any person who joins the "C.B.A." may become active in and entitled to all benefits and privileges of the organization, except as noted below in Sections 3, 9 and 10.
- 3) It shall be left to the discretion of each chapter of the C.B.A. to determine whether to impose a 90-day waiting period to new members for the right to vote on chapter matters. All other rights and privileges of membership shall become effective immediately upon becoming a C.B.A. member and paying membership dues.
- 4) The State Executive Council, from time to time by resolution, may change the annual dues that the membership is required to pay. The annual dues shall be due and payable during the anniversary month of the members' admission to membership. Membership shall be non-assessable, non-transferable between other similar organizations, and non-assignable. Membership may be transferred from a C.B.A. chapter to another C.B.A. chapter, with membership limited to one chapter at any one time. (Current membership fees are as stated in Section I of the By-Laws.)
- 5) Lifetime membership will be available to members after five consecutive years of membership have been completed. (Current lifetime membership fees are as stated in Section I of the By-Laws.)
- 6) Membership cards shall state the period for which they are valid. The form, size, and contents of the 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 each 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. Membership cards shall remain the property of the Corporation.
- 7) No person may be denied membership or have membership terminated except for failure to pay membership fees and/or for actions that are detrimental to the organization and its goals, as specified in Section II of the By-Laws.
- 8) The membership of any member of the Corporation shall automatically terminate on written request or upon the death of the member. Members that voluntarily resign their membership may rejoin if dues are repaid. Membership dues are non-refundable.

- 9) The Executive Council, the Board of Directors, and/or chapters shall be authorized to grant an Honorary Membership to any non-CBA member deemed worthy by their special assistance to CBA. Any such person shall have no vote or voice in the affairs of the corporation by virtue of this honor.
- 10) A) Junior membership shall be available for persons under 16 years of age. Any such member shall have no vote or voice in the affairs of the corporation by virtue of this membership.  
B) Associate membership shall be available for persons over 16 years of age. Any such member shall have no vote or voice in the affairs of the corporation by virtue of this membership.
- 11) A CBA member must have a minimum of two consecutive years membership before being eligible for state office and one calendar year for chapter office. The member is eligible if he/she meets the time requirement by the date that the term of office takes effect. There would be an exception for new chapters and emergencies. If no candidate with the appropriate length of membership is nominated, then others will be allowed.
- 12) A member may join any one chapter that he/she wishes to be listed in. Any person who does not wish to be listed in a chapter may be listed as an at-large member.

## **Article II**

### **THE BOARD OF DIRECTORS**

- 1) The affairs of the Corporation shall be managed by the Board of Directors, consisting of the State President, State Vice President, Treasurer, State Secretary, State Legislative Director, State Information Director, Safety, Education and Awareness Director, Membership Services Director, all District Coordinators, and all persons named as Director Emeritus.
- 2) The business and affairs of the Corporation shall be controlled by the Board of Directors. The Board of Directors shall arrange for publication of an official newsletter for the organization, for Board of Directors' meetings, and for quarterly meetings of the State Executive Council.
- 3) Each officer elected biennially by October of each odd numbered year by the membership shall hold his office until his/her successor shall have been duly elected and qualified, or until he/she shall resign or shall have been removed from this office.
- 4) Election of Board of Directors
  - A) Nominations
    - 1) Nominations for the offices of State President, State Vice President, State Treasurer, State Secretary, State Legislative Director, State Information Director, Safety, Education and Awareness Director, and Membership Services Director shall be made by the general membership of the CBA.
    - 2) Nominations for the District Coordinators shall be by the members of their respective districts.
    - 3) Nominations for the Board of Directors shall be sent to the current District Coordinators for validation prior to submission to the State Secretary 30 days before the July State Executive Council Meetings.
  - B) All persons voting shall present a valid membership card and sign a voting roster. Ballots shall be compiled by the State Secretary to be distributed to the chapters at the July State Executive Council Meeting.
  - C) At-large members may request a ballot from their respective District Coordinator. Ballot must be returned to the District Coordinator at least 14 days before the announced voting cutoff date to be counted.
  - D) The District Coordinators will tabulate the votes for his/her district and forward the ballots, roster, and tabulations to the State Secretary no later than September 15.
  - E) The State Secretary will compute the total and forward it to the Information Director for distribution within 10 days.
  - F) There will be a transition period where newly elected State Officers shall serve an internship to acquaint themselves with the new office. This internship shall last until January 1, when newly elected State Officers shall take office, and be entitled to voting privileges on the Board of Directors.
- 5) Members of the Board of Directors shall be allowed reasonable travel expenses to conduct CBA/ABATE business.
- 6) Special meetings of the Board of Directors may be called by the State President or by any five members of the Board, and such meeting shall be held at any place so designated. The call for a special meeting shall state the nature of the business to be considered and the place, date and hour of the meeting. Notice of such special meetings shall be made to each director at least 10 days before the meeting. Business considered and acted upon shall be limited to that stated in the call for the meeting.
- 7) Five-eighths (5/8) of the then existing membership of the Board of Directors shall constitute a quorum for the transaction of business. The current issue of Robert's Rules of Order shall be the parliamentary authority in all meetings of the Board.

- 8) The Board of Directors shall provide for the development and distribution of a membership kit. This kit will be mailed to all members joining CBA by Membership Services. Each kit shall include a membership card and other materials deemed appropriate by the Membership Services Director.
- 9) A member of the Board of Directors may be removed from office by a majority vote of the State Executive Council through procedures outlined for impeachment of officers in Section IV of the By-Laws. Any vacancy shall be filled temporarily by resolution of the Board of Directors until a general election can be held. This general election may be held within 90 days, except as noted below in Section 10.
- 10) If a Board of Director position is vacated during the 2<sup>nd</sup> calendar year of the term of office, the State Executive Council will, by resolution, fill the office for the remainder of the term.

### **Article III**

## **DUTIES AND RESPONSIBILITIES OF THE BOARD OF DIRECTORS**

- 1) **STATE PRESIDENT**
  - A) The State President shall serve as Chairman of the Board, President and Executive Director, President of the State Executive Council, and President of the Corporation.
  - B) The State President shall be the Chief Executive Officer of the Corporation and shall, in general, be subject to the control of the Board of Directors, supervise and control all business and affairs of the Corporation. He/she shall perform all duties incident to his/her office and such other duties as may be required by law and the Articles of Incorporation of this Corporation, or by this Constitution, or that which may be prescribed from time to time by the Board of Directors. He/she shall preside at all meetings of the Board of Directors, and be an ex-officio member of all standing committees.
  - C) The State President shall cause to be prepared and submitted to the State Executive Council an annual written report, including a financial statement from the State Treasurer, to be presented to the State Executive Council at its April meeting. The State President shall also cause to be prepared all reports necessary for governmental agencies and cause to be paid all taxes and other charges against the Corporation.
  - D) The State President's signature may be one of two signatures on any checks written by the State Corporation.
  - E) The State President shall be responsible to the State Executive Council for all actions and decisions.
  - F) The State President shall have voting privileges on the Board of Directors, Board of Directors and chapter Presidents, and State Executive Council only in event of a tie.
- 2) **STATE VICE PRESIDENT**
  - A) The State Vice President shall serve as Vice President of the Corporation, Assistant Chairman of the Board of Directors, and Vice President of the State Executive Council.
  - B) The State Vice President shall, in the absence of the State President, perform all duties required of and have all the powers of the State President and act as ex-officio member of all committees. He/she shall perform other such duties as from time to time may be assigned by the Board of Directors or State President.
  - C) The Vice President's signature may be one of two signatures on any checks written by the Corporation.
  - D) The State Vice President shall, in December, cause to be produced a State Events Calendar for the upcoming year, to include all State Executive Council Meetings, Board of Directors meetings, state events, and all major chapter events.
- 3) **STATE TREASURER**
  - A) The State Treasurer shall serve as Treasurer of the Corporation, Treasurer of the Board of Directors and of the State Executive Council.
  - B) The State Treasurer shall deposit all funds of the Corporation and maintain a record of the income and disbursements of such funds. He/she shall keep accurate books of account and report quarterly to the State Executive Council as to the financial condition of the Corporation.
  - C) The State Treasurer's signature must be one of two signatures on any checks written by the Corporation.
  - D) The State Treasurer shall have Membership Services maintain an inventory of all State CBA products, promotional items, and membership kits and cards. Membership Services shall ship products and promotional items to the chapters when ordered and work with the State Treasurer in maintaining records of monies owed and paid by the chapters for products.
  - E) The State Treasurer shall perform all duties incident to the office of Treasurer, and other duties which, from time to time, may be prescribed by the Board of Directors or the State Executive Council.

- 4) STATE SECRETARY
  - A) The State Secretary shall serve as Secretary of the Corporation, the Board of Directors and the State Executive Council.
  - B) The State Secretary shall keep a copy of the Constitution, By-Laws and Policies of CBA, and have them present at all state functions.
  - C) The State Secretary shall maintain minutes of all Board of Directors, Board of Directors and chapter Presidents, and State Executive Council meetings.
  - D) The State Secretary shall assist the other State Officers as may be necessary, with special reports and mailings, and serve on the Newsletter Committee.
  - E) The State Secretary shall, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him/her by the Board of Directors or the State Executive Council.
  
- 5) STATE LEGISLATIVE DIRECTOR
  - A) The State Legislative Director shall serve as an Assistant Vice President of the Corporation and the State Executive Council, and member of the Board of Directors.
  - B) The State Legislative Director shall be responsible for obtaining and maintaining all pertinent legislative information. He/she shall cause this information to be disbursed to the State Executive Council and Board of Directors and to the general membership via the Information Director.
  - C) The State Legislative Director shall chair the Legislative Committee.
  - D) The State Legislative Director shall perform all duties incident to his/her office, and other duties, which from time to time may be prescribed by the Board of Directors or the State Executive Council.
  
- 6) STATE INFORMATION DIRECTOR
  - A) The State Information Director shall serve as an Assistant Vice President of the Corporation and the State Executive Council and member of the Board of Directors.
  - B) The State Information Director shall be responsible for obtaining and maintaining a record of all pertinent statistical information and legislative information. He/she shall cause this information to be disbursed to the State Executive Council and Board of Directors through the State Secretary, and to the general membership by any method at his/her disposal as he/she deems necessary. He/she shall also research other information as requested by the State Executive Council and the Board of Directors.
  - C) The State Information Director shall appoint a Newsletter Editor and work with him/her as to the content of the newsletter through the Newsletter Committee.
  - D) The State Information Director shall chair the Public Relations Committee, which shall be responsible for producing CBA promotional literature and sending out State news releases. The Public Relations Committee shall also be responsible for establishing and maintaining a CBA web page.
  - E) The State Information Director shall perform all duties incident to his/her office, and other duties, which from time to time may be prescribed by the Board of Directors or the State Executive Council.
  
- 7) SAFETY, EDUCATION AND AWARENESS DIRECTOR
  - A) The Safety, Education and Awareness Director shall serve as an Assistant Vice President of the Corporation and the State Executive Council and member of the Board of Directors.
  - B) The Safety, Education and Awareness Director shall be responsible for establishing and implementing an agenda and training program for all new Directors. He/she will arrange for training programs as deemed necessary by the Board of Directors.
  - C) It will be his/her responsibility to develop and implement motorcycle awareness programs.
  
- 8) DISTRICT COORDINATOR
  - A) The District Coordinators shall serve as Assistant Vice Presidents of the Corporation and the State Executive Council and members of the Board of Directors.
  - B) The District Coordinators shall be responsible for maintaining communication between the chapters in their district.
  - C) The District Coordinators shall plan and coordinate any state event to generate funds for the State Treasury.
  - D) District Coordinators shall be available to meet with officers of any chapter in their district requesting assistance, in an advisory capacity.
  - E) The District Coordinator shall be responsible for coordinating his/her district in all general elections as defined in Article II, Section 4.
  - F) A District Coordinator shall be able to appoint Deputy Coordinators as needed.
  - G) District Coordinators shall perform all duties incident to the office of District Coordinator and other such duties as from time to time may be assigned by the Board of Directors or the State Executive Council.

- 9) **MEMBERSHIP SERVICES DIRECTOR**
- A) Membership Services Director oversees the design and maintenance of membership database.
  - B) He/she oversees the design and maintenance of membership packets.
  - C) He/she prepares a yearly budget to be submitted at the October State Meeting.
  - D) He/she oversees the design and maintenance of membership applications.
  - E) He/she chairs the membership committee.
  - F) He/she oversees the purchase and installation of software and computer upgrades to insure no compromise of quality of membership services.
  - G) He/she will determine whether a member is classified as new or renewal. An appeal of this decision may be made in writing to the Board of Directors.
  - H) He/she shall perform all duties incident to the office and such other duties as from time to time may be assigned by the Board of Directors or the State Executive Council.
- 10) **DIRECTOR EMERITUS**
- A person eligible for office must have served three consecutive complete years on the Board of Directors. He/she must be nominated by a current Board member and be approved by a majority of the Board. This is an advisory capacity and has no voting privileges and does not count as part of the quorum. Term of office is until death, termination of CBA membership or upon request of the member.

## **Article IV STATE DISTRICTS**

- 1) The State is currently divided into three districts: Eastern, Central and Western. Each district shall be represented by a District Coordinator elected by the members in that district.
- 2) Each district's boundaries shall be as shown on the map in Appendix A.

## **Article V STATE TREASURY AND GENERAL FINANCIAL POLICIES**

- 1) A State Treasury shall be established, with income from membership dues, product sales, assessments and donations from chapters and any other sources not detrimental to the organization. The State Treasurer shall maintain accurate books for this treasury.
- 2) A State checking account shall be established, with 2 of 3 signature checks. One of the signatures must be the State Treasurer; the other may be the State President or the State Vice President.
- 3) An annual financial statement will be released to the Executive Council in the Annual Report at the second quarter State Executive Council Meeting each year.
- 4) No part of the CBA State Treasury may be used for personal reasons by any State Officer or any other individual. No part of the net earnings is to inure to the benefit of any officer, director or members, nor any other private individual, except for professional services.
- 5) The State Treasury will sell CBA products to the local chapters at a discount rate.
- 6) The fiscal year of the Corporation shall be from January 1 through December 31 of each year.
- 7) No Director or member of this Corporation shall be personally liable for the debts, liabilities or obligations of the Corporation except as stated in Art. VII, Section 15 of this Constitution.
- 8) 20% of the net profit made on any non-charitable event conducted by a chapter or district shall be assessed by the State Treasury. Any recipient of charitable event proceeds must be identified to the CBA State Treasurer prior to the event.
- 9) If the Corporation is dissolved, all monies remaining after payment of all liabilities will be donated to a charity.
- 10) If a check written to the Corporation is returned for insufficient funds, the State Treasurer may assess a fee to the payer equal to the amount of the insufficient funds fee charged by the financial institution.

## **Article VI STATE EXECUTIVE COUNCIL**

- 1) The State Executive Council shall consist of all local officers and coordinators of CBA.
- 2) The State Executive Council shall be responsible for any by-laws or amendments to the Constitution of CBA.

- 3) The Board of Directors of CBA will serve as officers of the State Executive Council. The State President shall serve as President of the Executive Council, the State Vice President as Vice President, the State Secretary as Secretary, and the State Treasurer as Treasurer. The State Legislative Director, State Information Director, State Safety, Education and Awareness Director and all District Coordinators shall serve as Assistant Vice Presidents.
- 4) The State Executive Council shall meet at least 4 times a year. These meetings shall occur at least once in each quarter of the year, with the first quarter beginning on January 1<sup>st</sup>. The meeting dates will be determined by the Council at the last quarterly meeting of the previous year. The meetings shall be at least 8 weeks apart and not more than 20 weeks apart.
- 5) At least 2 officers of local chapters shall attend State Executive Council meetings, with a treasurer's report prepared by the chapter treasurer, and a quarterly activity summary prepared by the chapter secretary.
- 6) The State Executive Council will decide on any expenditure from the State Treasury that is not considered day-to-day operating expenses.
- 7) Unless an exception is granted by a majority of members present at a State Executive Council meeting, discussion on any single item shall not exceed 30 minutes.
- 8) Each chapter will be allowed 5 votes when voting on any motions at a State Executive Council meeting. If there are at-large members present at any State Executive Council meeting, they may vote on any business, with each at-large member having one vote if there are no more than five (5) at-large members voting. If more than five at-large members wish to vote on any item, they must form a voting bloc, and they will be allowed five votes when voting on any motions.

## **Article VII CHAPTERS**

- 1) A chapter may be chartered by the action of the State Executive Council wherever 5 Concerned Bikers come together to accomplish the purposes for which the CBA was formed. Each chapter will operate as a non-profit organization, using the Constitution of the Concerned Bikers Association/A.B.A.T.E. of North Carolina, Inc. as a guide. Chapters cannot vary from the rules specified in this Constitution.
- 2) The primary purpose of the chapters shall be to help improve the effectiveness of Concerned Bikers Association in obtaining its goals.
- 3) When 5 or more members decide to form a new chapter, a full staff of acting officers shall be elected.
  - A) These officers shall serve for a period of not less than 80 nor more than 120 days. Before these temporary elections are held, the length of term of office shall be decided.
  - B) At the end of this temporary term, regular elections shall be held, with officers serving until December 31.
- 4) Elections for chapter officers will be held the first meeting in October of each year. Officers shall be elected to serve from January 1 to December 31 of each year, and are elected by a simple majority of those members present at the election.
  - A) Nominations for chapter officers will be held at the first meeting in September. Any member may nominate a person for office except as noted in Article I, Sections 9 and 10.
  - B) Elections will be by secret ballot. Ballots are to be counted before the members at that meeting.
  - C) Any member unable to attend an election may give his/her absentee vote in writing in a sealed envelope to any chapter officer or mail to the chapter post office box one week prior to that election. All absentee votes shall be submitted on an original, numbered ballot provided by the chapter and verified by the chapter Master Sgt. At Arms.
  - D) If a chapter office is vacated, an election will be held for that office no sooner than the next regular meeting, but within 45 days.
- 5) Chapter officers shall include, but may not be limited to: President, Vice President, Secretary, Treasurer, Master Sergeant at Arms, Sergeant at Arms, and Legislative Coordinator.
  - A) The Chapter President is chairperson for the local chapter meetings, and is directly responsible to CBA for all actions and decisions. It shall be his/her responsibility to keep the State President, Executive Council and Board of Directors informed as to what is going on in his/her chapter. The Chapter President's signature may be one of two signatures on the chapter checking account.
  - B) The Chapter Vice President shall act in place of the Chapter President in the event of his/her absence. The Chapter Vice President shall maintain communications between other CBA chapters and shall also perform any duties requested by the Chapter President. His/her signature may be one of two signatures on the chapter checking account.

- C) The Chapter Secretary shall keep full and fair records of all proceedings and transactions at all chapter meetings, including officers meetings. He/she shall maintain a membership roster of all chapter members. Membership applications shall be handled as stated in the By-Laws Section 1, #4 and mailed to Membership Services. The Chapter Secretary shall keep the State Secretary and State Information Director informed at all times of the time, place, and date of all chapter meetings, and shall inform the State Secretary of any chapter officer changes, and prepare a quarterly chapter activity summary to present to the State Secretary at meetings of the State Executive Council. The Chapter Secretary shall also insure responsibility of the chapter letter for the state newsletter by writing it him/herself or by delegating the letter to someone else within the chapter
  - D) The Chapter Treasurer shall maintain financial records for the chapter, using a standardized system of recording expenditures and income. He/she shall forward to the State Treasurer any monies due the State Treasury for membership dues, product sales, chapter event assessments and/or donations to the State Treasury. These monies shall be forwarded to the State Treasurer within ninety (90) days of the event or collection of income. The Chapter Treasurer shall present to the State Treasurer a quarterly financial report for the state records, at the State Executive Council meetings. Membership applications shall be handled as stated in the By-Laws Section 1, Subsection 3). The Chapter Treasurer's signature must be one of two signatures on the chapter checking account.
  - E) The Master Sergeant at Arms shall maintain order at all chapter meetings and functions, supervise secret ballots, and be available to the State Vice President for security arrangements at state functions.
- 6) A chapter officer may be impeached for negligence or malfeasance of duties, as prescribed in Section IV of the By-Laws.
  - 7) All CBA chapters will have a checking account. Account numbers for all chapter accounts will be provided to the State Treasurer. All chapter checking accounts shall require two signatures, the Chapter President's or the Chapter Vice President's and the Chapter Treasurer's to sign checks. If a chapter needs to set up another account, such as an event account, two signatures are still required to sign checks but they can be any two members voted on by the chapter membership as long as they have been a member for a period of least one year and do not reside in the same household.
  - 8) Chapters may issue Certificates of Appreciation to members at the discretion of the chapter.
  - 9) The legislative body of the CBA Chapter shall consist of all persons with current membership in the chapter.
  - 10) Regular meetings of local chapters of the CBA will be held at least once a month. The date, time and place of the meeting will be determined by the local president upon recommendation of the members. Special meetings may be called by the local president, by a majority of the officers, or by at least 30% of the membership.
  - 11) A simple majority vote of the members present is needed to approve any proposal or action of a local CBA chapter.
  - 12) New chapters will send 20% of their membership dues to the state and keep 80%. Effective on the date of a chapter's one year anniversary, the chapter will start paying 80% to the state and keep 20%.
  - 13) If, in the opinion of the State Executive Council of CBA, a chapter is in violation of the Constitution or of its By-Laws, a hearing will be held at the next State Executive Council meeting, or at special State Executive Council Meeting called to discuss the suspected violation.
    - A) There should be at least 2 officers, or other representatives duly authorized by the chapter in question, present at such meeting. Failure of the chapter to be represented at such hearing will not prevent the State Executive Council from proceeding with such hearing.
    - B) If, by majority vote of the State Executive Council members in attendance at such regular or special Council meeting, a chapter is placed on probation, that chapter will have until the next regularly scheduled Council meeting to correct the violation. If satisfactory corrections are not made by that time, the chapter's charter may be suspended or revoked.
    - C) If by 2/3 vote of the State Executive Council members in attendance at such regular or special State Executive Council meeting, a chapter's violation is considered to be of such severe nature, the chapter's charter may be suspended or revoked immediately.
    - D) In the event that the chapter's charter is suspended, an additional period to be determined by the Council, will be allowed to correct the violation. During the period of suspension, the State Board, at its discretion, may assume control of the chapter's treasury.
    - E) In the event that the chapter's charter is revoked by the State Executive Council, all funds and property of the chapter will be immediately surrendered to the state organization.
  - 14) If at any time, the state records show that less than 5 dues paid members exist in a chapter, their charter is subject to cancellation.

- 15) Should a local chapter dissolve, have its charter revoked or cancelled, the local chapter treasury shall be surrendered to the state organization. The local Chapter President, Vice President and Treasurer shall be held legally responsible for the chapter treasury.

## **Article VIII COMMITTEES**

- 1) The following committees shall be maintained continuously:
  - A) The Legislative Committee, chaired by the State Legislative Director
  - B) The Products Committee, chaired by the State Treasurer.
  - C) The Public Relations Committee, chaired by the State Information Director.
  - D) The Newsletter Committee, consisting of the State Information Director, State Secretary, the Newsletter editor, and other volunteers.
  - E) The Constitution Committee, consisting of a chairperson and volunteers.
  - F) The Membership Services Committee, comprised of District Coordinators, State Treasurers, and other volunteers, and chaired by the Membership Services Director.
- 2) Any other committees shall be voted by the State Executive Council as needed, and the Chairperson of such committees shall be appointed by the Council.
- 3) The Board of Directors shall, by resolution, define and modify the authority and duties of each standing committee. Each standing committee shall prepare a statement annually of its recommendations as to its responsibilities and budget needs for the upcoming year to be presented at the October State Executive Council meeting.
- 4) The State President and Vice President shall be ex-officio members to all committees with the power to vote, and shall be counted for the purpose of determining a quorum.
- 5) A majority of committee members shall constitute a quorum for the purpose of conducting business.

## **Article IX CONSTITUTIONAL CHANGES**

- 1) Any proposed change to the Constitution or its By-Laws shall be presented in written form to the Constitution Committee Chairperson.
- 2) Proposed changes will be turned over to the Constitution Committee for review to be checked for wording and whether or not to make a recommendation of the proposed change to the Executive Council. The proposed change will then be sent out in writing to all chapters within 45 days.
- 3) The proposed change shall be voted upon at the following quarterly State Executive Council meeting. A 2/3 majority vote of the State Executive Council members in attendance shall be required for the change to be in effect.
- 4) The Board of Directors has the right to make the necessary minor word changes to a proposal so that the proposal may still be brought to a vote at the next State Executive Council Meeting.

## **BY-LAWS**

### **Section I Membership Fees**

- 1) Current membership fees are \$25 per person, or \$35 per couple. Lifetime membership fees are as follows:
  - A) Lifetime membership will cost five times the current membership fee after five years of consecutive membership.
  - B) Lifetime members shall supply a current address validation to Membership Services in January of each year to continue receiving mailings.
  - C) All lifetime membership fees will be directed to the State Treasury.
- 2) CBA may establish a "Prison Charter" or individual prison memberships within prisons and reformatories. Members will be charged a \$.50 token charge for membership with the following restrictions:
  - A) No vote or voice in the affairs of the Corporation.

- B) After their release, said members have 3 months to reinstate their regular membership at the current dues rate.
- 3) Membership applications complete with the membership fees are to be turned in to the chapter Treasurer who will then stamp the application paid and received, then initial it. The Treasurer will then turn the application over to the Secretary for validation and their initials and recording. In the event the same person holds both the Treasurer and Secretary offices, the President will be responsible for initialing the application.
- 4) There will be no fee for associate membership.

## **Section II Termination of Membership**

- 1) Membership in C.B.A. may be terminated for the following reasons:
  - A) Failure to pay membership fees.
  - B) Any action that is detrimental to the organization and its goals.
- 2) Membership in C.B.A. may be terminated by following one of the procedures listed below:

### **I. Membership in a Chapter:**

- A) A signed written complaint must be presented to any officer of the chapter of the member in question and to any member of the Board of Directors of the Corporation. The complaint may be filed by any current member of the organization.
- B) The member in question shall be notified of the nature of the complaint by registered mail sent by a chapter officer. Additional means of notification may also be used. A hearing date shall also be set by the chapter President or Vice President, with at least a 2 week notice, with the affected member and the complainant notified of the date, time and location of the hearing.
- C) At such hearing, the chapter officers, by a roll call vote, may dismiss the complaint or transfer membership to At Large status with the stipulation that the person in question not be allowed to attend any meetings of said chapter. Minutes shall be kept by the chapter secretary and also recorded by recording device.
- D) At the next regular chapter meeting, the complaint and response shall be presented if not previously dismissed. Both parties are allowed to be present. A 2/3 majority vote of the members present shall be necessary to confirm transfer of membership to At Large status with above mentioned stipulation.
- E) If either party wants to appeal the outcome, the complaint, response, and record of chapter vote must be presented to the Board of Directors. The Board of Directors may at this time uphold the dismissal of the complaint, revoke membership completely or keep membership At Large with the above said stipulations.
- F) Any member whose membership is revoked will not be allowed to rejoin the C.B.A. without approval by a majority vote of the Board of Directors. Re-approved persons will reenter the membership roll as a new member.

### **II. Membership in the Organization:**

- A) A signed written complaint must be presented to any member of the Board of Directors of the Corporation. The complaint may be filed by any current member of the organization.
- B) The member in question shall be notified of the nature of the complaint by registered mail sent by the State Secretary. Additional means of notification may also be used. A hearing date shall also be set for the next regularly scheduled State Meeting (with at least a 2 week notice) by the State Secretary, with the affected member and the complainant notified of the date, time and location of the hearing.
- C) At the next regular State Meeting, the complaint and response shall be presented, written minutes to be recorded by the State Secretary and recorded by a recording device and a 2/3 majority vote of the Executive Council chapters present by a roll call vote shall be necessary to confirm revoking of membership. If either party wants to appeal the outcome, the complaint, response, and record of vote must be presented to the Board of Directors. The Board of Directors may at this time uphold the dismissal of the complaint, revoke membership completely or keep membership At Large with the above said stipulations.
- D) Any member whose membership is revoked will not be allowed to rejoin the CBA without approval by a majority vote of the Board of Directors. Re-approved persons will reenter the membership rolls as a new member.

### **Section III Impairing Substances**

Concerned Bikers Association and its chapters will not allow consumption or use of impairing substances during meetings.

### **Section IV Procedure for Impeaching of Officers**

- 1) To start impeachment proceedings, a special hearing/meeting shall be called, by the President, a majority of officers, or 10 members. At the meeting, the senior officer present shall act as chairman, and if an officer is not present, a chairman shall be elected by majority vote. Minutes shall be taken at this meeting. There must be at least 6 members present for the meeting to proceed.

At the conclusion of the discussion, a secret ballot shall be taken on whether or not to proceed with impeachment. If the majority vote is yes, a report shall be prepared (to include the minutes of the special meeting and list reasons for which an impeachment is deemed necessary) and a copy of this report shall be presented to the officer in question. The officer may or may not wish to resign at this time.

- 2) If the officer has not resigned at this time, the report from the special meeting shall be read at the next regularly scheduled meeting to the members present, and a secret ballot taken to see if the impeachment should proceed. If voted yes, an impeachment vote will be held at the following regular meeting, with an effort being made to contact all members to inform them of the proceedings beforehand. The impeachment vote itself shall also be by secret ballot, and if voted yes, it shall be the discretion of the membership as to whether the President appoints a replacement (if at chapter level) or an election is held for that office only (chapter or state level).
- 3) At the conclusion of the proceedings, a full report shall be maintained by the chapter (if at chapter level) or by the Board of Directors (if at state level) with any change of officers to be forwarded to the State Executive Council.

### **Section V Theft Information Reward**

The Board of Directors of CBA is authorized to offer a \$500 reward to anyone giving information leading to the arrest and conviction of anyone stealing or receiving a motorcycle belonging to a member of Concerned Bikers Association/A.B.A.T.E. of NC, Inc.

The Board of Directors of CBA is authorized to offer a \$1000 reward to anyone giving information leading to the arrest and conviction of anyone found responsible for the crime of hit and run of any member of Concerned Bikers Association/A.B.A.T.E. of NC, Inc., while said member is operating a motorcycle, or is a passenger upon a motorcycle, when the incident results in admittance to a hospital for more than 24 hours.

### **Section VI State Events**

A State Events Coordinator shall be appointed by the Board of Directors. He/she shall be responsible for planning, coordinating events to fund the state treasury, with plans for these events to be approved by the Board of Directors.

### **Section VII Bike Bashes and Bike Burns**

Whereas we are a motorcyclist rights organization representing the rights of and encouraging the membership of all motorcycle riders, we feel that bike bashes and bike burns are contrary to and a hindrance to our goals and will be banned from all CBA events.

## **ADDITIONAL CBA POLICIES**

### **TRAVEL POLICY**

From time to time persons may be dispatched out of state on CBA business where use of public or commercial transportation is not feasible. In such instances the following rules for travel reimbursement shall apply:

- 1) A rental car may be used when approved by the Board of Directors. When rental vehicles are used, insurance shall be obtained so that CBA is not liable in case of accident or injury.
- 2) Personal vehicles may be used. Fuel expenses will be paid when receipts are submitted to the State Treasurer. Any expenses incurred due to breakdown or vehicle failure are the responsibility of the vehicle owner. CBA is not liable for accident or injury.
- 3) CBA will not cover any travel expenses for trips within the state of North Carolina except as allowed in Article II, Section 5 of the CBA Constitution.

### **NATIONAL CONVENTION POLICY**

All representatives sent to the national conventions will be selected by the Board of Directors. Alternates will also be selected in case one or both of the originally selected representatives cannot go.

*Revised July 29 2009*