

UTAH STATE ELKS ASSOCIATION

CONSTITUTION AND BY-LAWS

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CONSTITUTION OF THE UTAH ELKS ASSOCIATION

ARTICLE 1 NAME

Section 1. The name of the organization shall be the Utah State Elks Association.

ARTICLE II OBJECT

Section 1. It shall be the purpose of this Association to promote, on a statewide basis in the State of Utah, the best interests of the Benevolent and Protective Order of Elks of the United States of America, to further mutual assistance and good fellowship among the several lodges and their members and to advance and develop ways and means beneficial to the Lodges of the Order Located in said State. It shall never compete with any or all of the Lodges without the consent of such Lodge or Lodges first having been obtained.

ARTICLE III VOTING AND ELECTIONS

- **Section 1.** The decisive power at all meetings of the Association shell be as hereafter set forth.
- **Section 2.** Voting during elections of new officers shall proceed as hereinafter set forth in Article II, Section 1 of the By-Laws.
- **Section 3.** All business matters requiring a vote shall be determined by majority vote of the members, in good standing, of the Member Lodges present. Abstentions shall be counted as NO votes.

ARTICLE IV THE GOVERNING BODY

- **Section 1.** The Association itself shall be the Governing Body, and shall strictly observe all restrictions and limitations in the exercise of rights and powers granted it by the Constitution and Statutes of the Grand Lodge of the Order.
- **Section 2.** The Association through its Member Lodges and members in good standing of Member Lodges acting within due limits shall have the power:

Section 2.A. To enact such regulations necessary and proper to preserve its interests, fulfill its purpose, and implement the rights and privileges vested by this Constitution and those granted it in the Constitution and Statutes of the Order.

Section 2.B. To name its officers, as defined in Article II of the By-Laws, and committees, define their duties and privileges, and determine the filling of vacancies.

Section 3. All regulations enacted by the members in good standing of the Association shall be of general application.

Section 4. The members in good standing from Member Lodges shall have authority to enact By-Laws for the Association from time to time as they see fit, such action to be taken at any Convention, Fall, Spring or Special Meeting, called for such purpose. In the event any action regarding adoption, or change is to be taken at any meeting of the Association, notice setting forth such proposed adoption or change generally, together with and explanation of the same, shall be given to the Exalted Ruler of each Member Lodge at least thirty (30) days prior to the date of such meeting. The action of a majority of the members in good standing of Member Lodges present and voting shall prevail, provided however, that any proposed By-Laws or Amendments to the By-Laws that pertain to dues or finance shall require a two-thirds affirmative vote of the members in good standing of Member Lodges present.

ARTICLE V MEETINGS

Section 1. Each year the Association shall have a regular Convention Meeting in May, a Fall Meeting held in September, a Spring Meeting held in March, and such other regular or special Meetings as property may be deemed necessary.

Section 2. The manner of determining the time, place, purpose, and arrangement of any meeting of the Association shall be as is hereinafter provided.

Section 3. Thirty-five (35) members in good standing from not less than one-half the Member Lodges of the Association in the State,

including not less than five (5) duly elected and installed officers of the Association, shall constitute a quorum for the transaction of business.

ARTICLE VI OFFICERS

Section 1. The officers of the Association shall be a President, First Vice President, Second Vice-President, Secretary, Treasurer, Board of Trustees, Sergeant-at-Arms, Chaplain, Tiler, Inner Guard, and Organist.

Section 2. Any Past Exalted Ruler in good standing in a member Lodge and a resident within the State of Utah shall be eligible for election to the offices of President, Vice-Presidents; and member in good standing with a said Lodge and resident within said State shall be eligible to serve in all other offices of the Association, provided that no member shall be eligible to hold more than one office in the Association at the same time.

Section 3. All officers of the Association shall be elected except Sergeant-at Arms, Chaplain, Tiler, Inner Guard and Organist. These offices shall be selected for appointment by the duly elected incoming President of the Association and named at a proper time during the ceremony of installation of officers.

Section 4. Except as herein otherwise provided, each officer of the Association shall be elected, appointed, and installed at the May Convention of the Association; shall serve a term from that installation to the order of installation at the next Annual Meeting or until a successor is duly selected and installed.

Section 5. The Board of Trustees of the Association shall consist of five (5) members, one of whom shall be elected for a term of five (5) years at the Convention, but there shall be not more than one (1) member of the Board of Trustees elected from the same Lodge. In the event of a vacancy on the Board of Trustees, the unexpired term will be filled by election at the next scheduled regular Meeting of the Utah Elks Association.

Section 6. Additional appointive offices may be created and filled any annual meetings of the Association upon the joint recommendation of the President of the Association and Chair of the Advisory Council with

the Concurrence of a two thirds majority of the qualified delegates, present and voting.

ARTICLE VII COMMITTEES

Section 1. The Association shall have such standing and special committees as is hereinafter provided.

ARTICLE VIII ADVISORY COUNCIL

Section 1. An Advisory Council shall be established consisting of the Exalted Ruler and either an appointed Past Exalted Ruler or an appointed officer from each Lodge to be appointed by the Exalted Ruler.

Section 2. The President of the Past President Association or designate will act as Chairmen of the Advisory Council and help guild the council though its process but would only have a vote in case of a tie- breaker.

Section 3. The Council shall organize annually at the Convention in May. It shall operate under established rules and procedures. Each Lodge will have one vote on any subject to be cast by the Exalted Ruler or by the officially appointed delegate of the Member Lodge in case of the Exalted Rulers absence. Lodges desiring to place items of business on the agenda of the Advisory Council must submit them to the Chair or the Secretary of the Council 30 days prior to the next scheduled meeting. The President of the State Association and Vice Presidents will submit items for the agenda to the Chair of the Advisory Council. All the Committee Chairs will notify the President or the Vice President in charge of the committee to place items on the agenda for them. The Council Chair or the Secretary will compile all agenda items and mail the completed agenda to all members of the Council two weeks prior to the meeting. Items not on the scheduled agenda will be considered only if they permit and two thirds of the members of the Council vote to hear the items. Items which are complex in nature, or they involve changes requiring study should be in writing.

Section 4. The council will be the primary business interface agency between the Utah Elks Association and the Member Lodges. Whenever possible, Officers of the Utah Elks Association will provide

details of all Association plans, programs, policy changes, By-Law revision, etc., to the Council for review and coordination before bringing them to the floor of State Meetings. Council members will be responsible to relay information on State business to the Membership of their respective Lodges and represent their Lodge position on any matter brought before the Council. The Council as a body may introduce business for vote at any State meeting, but the Council does not preclude Member Lodges or individual members from introducing business items for vote to the floor of any meeting.

Section 5. No members of the Council shall have their rights and privileges in the Association abridged so long as they are representatives of Member Lodges in good standing.

ARTICLE IX UTAH ELKS STUDENT LOAN FUND

Section 1. So that the Association may engage in an educational and benevolent endeavor, there shall be established the Utah Elks Student Loan Fund; the maintenance, administration, and further purposes of which shall be as hereinafter provided.

ARTICLE X

UTAH ELKS ASSOCIATION, INC., BENEVOLENT TRUST FUND

Section 1. So that the Association may engage in charitable and humanitarian endeavors; there shall be established the Utah Elks Benevolent Trust Fund, the maintenance, administration and further purposes of which shall be set forth in the By-Laws of the Association. The charitable projects of the Association shall be such as not to compete with the charitable and humanitarian endeavors of the Member Lodges in the National Foundation.

Section 2. There is establish the Utah Elks Benevolent Trust Fund, the corpus of which shall be invested in income producing property and securities, and the income of which shall be applied from time to time in such manner as the Board of Governors of such funds may determine, for the furtherance of such of the charitable, educational, and benevolent activities of the Utah Elks Association, or its Subordinate Lodges, as said Board of Governors may determine; provided, that money or property may be received by the Board of Governors for other purposes than accumulation in the corpus of the

fund, if the donors thereof so direct, and within general scope of the Trust. The corpus of the Trust may also be invaded, not to exceed 30% in any one given year, for the pursuit of charitable endeavors, if it is so recommended by the Board of Governors of the Trust and approved by a two-thirds vote of the delegates of the Member Lodges present at one of the scheduled meetings of the Utah Elks Association. Notice of such action must be made to the State Association President and to all Subordinate Lodges at least 30 days prior to such meeting.

Section 3 The Utah Elks Benevolent Trust Fund shall be administered by a Board to be known as a Board of Governors, to consist of 7 delegates of the Member Lodges of the Utah Elks Association, to be appointed by the State Association President for terms of 1, 2,3,4,5,6 and 7 years respectively; and that thereafter at each May Convention of the State Association on the first day thereof, the State Association President shall nominate, and with the consent of the Association, appoint one delegate of the Member Lodges of the State Association to serve as such Governor for the full term of 7 years. Vacancies in said board caused by death, resignation, or otherwise, may be filled temporarily until the next convention meeting, by appointment by the State Association President, and at the next Association Annual Meeting such vacancies shall be filled by the State Association President, with the consent of the Association, in the same manner as a regular appointment.

Section 4 The Board of Governors are hereby granted and given plenary power to promote, develop, and administer the said Trust to accomplish its charitable, educational and benevolent purposes; that said Governors be, and are authorized and empowered to receive from any source any monies, securities or other property which may be properly transferred to them in trust, for the purposes for which the trust is established; to invest the same in such safe securities and other property, and to sell transfer and reinvest the same in such manner as shall best safeguard the Trust and assure the continuity of its income; and may either accumulate such monies, securities or other property as part of the corpus, using the income there of, or may invade the corpus with the approval of the State Association, or may use all or a part of such investment income or approved portion of the corpus withdrawal, securities or other property for the purposes of distributions, within the scope of the charitable,

educational and benevolent purposes of the Trust. Such Board of Governors shall report annually to the State Association, at the time of the May Convention, their activities, the income and expenditures of the Trust during the past year and the prospective work and activities for the future. The disbursement of all monies from the Utah Elks Benevolent Trust Fund shall be upon order of the Board of Governors, such order to be signed by the Chair and attested by the Secretary of such Board of Governors.

ARTICLE XI UTAH ELKS MAJOR CHARITABLE FUND

Section 1. So that the Association may engage in charitable and humanitarian endeavors; there shall be Funds established to promote these projects.

ARTICLE XII

ADJUNCTS AND AUXILLARY ASSOCIATIONS

Section 1. Past Exalted Rulers Association

Shall established a Past Exalted Rulers Association as an adjunct to the Utah Elks Association and will consist of all Past Exalted Rulers as defined in Section 1.140 of the Statutes of the Order.

Section 1. A. Meetings

The Utah Past Exalted Rulers Association shall have one meeting each year during the State Convention.

Section 1.B.Membership

All Past Exalted Rulers in good standing in their Lodge are eligible for membership. Current Exalted Rulers in good standing in their Lodge are encouraged to attend, but they will be associate members.

Section 1. C. Dues

The yearly dues will be agreed upon by the membership present at the Annual Meeting.

Section 1. D. Election of Officers

Annually at the State Convention, Officers consisting of a Grand Wattle (President) and a Grand Capon (Secretary-Treasurer) will be elected for a one-year term of office. Any Past Exalted Ruler in good standing may nominate any other Past Exalted Ruler in good standing for these offices.

Section 1.E. DUTIES OF OFFICERS

Section 1.E.1. The Grand Wattle will conduct meetings, and set annual dues as the membership may agree upon.

Section 1.E.2. The Grand Capon and the Grand Wattle will issue membership cards to those paying dues for the ensuing year.

Section 1.E.3. The Grand Capon and the Grand Wattle will report in the General Meeting as to how much was collected and which of the charities received donations.

Section 1.F. The Utah Elks Past Exalted Rulers Association will stand ready to aid the Utah Elks Association whenever called upon to do so.

Section 2. Past State Presidents Association

There will be established a Past State Presidents Association as an adjunct to the Utah Elks Association.

Section 2.A. Meetings

The Past State Presidents Association shall hold meetings in conjunction with the regular meetings of the Utah Elks Association in May, September, May and such special meetings as may be deemed advisable to further the interest of Elkdom in Utah.

Section 2.B. Membership

Any Past State President in good standing in a Member Lodge is eligible for membership in this Association.

Section 2.C. Dues

Annual dues for membership in the Past State President Association will be at State Convention by majority vote of its members present.

Section 2.D. Election of Officers

Annually at the Spring Meeting, officers consisting of a President and Secretary will be elected for a one-year term of office, officers can be reelected by the membership.

Section 2.E. DUTIES OF THE OFFICERS

Section 2.E.1. The President shall conduct and preside at all meetings of the Past State Presidents Association unless unable to attend.

Section 2.E.2. The Secretary of the Past State Presidents Association shall attend all meetings of the Past State Presidents Association, keep a record of the proceedings, issue membership cards, send copies of minutes of meetings to members, notify members of meetings and perform such duties as are normally expected of secretaries. And receive dues, and such other monies from the members may be assessed or levied, then forward all monies to the U.E.A Secretary at the end of each meeting. Make such distribution as shall be voted upon by the P.S.P. Association.

Section 2.E.3. The Officers shall receive no payment for their services, but the Secretary shall receive such expenses for postage and paper as is necessary for them to perform their duties.

Section 3. Past District Deputies

The President of the Past District Deputies shall forward to the P.G.E.R. Sponsor the names of those Elks who have been voted upon by the Past District Deputies to be considered for District Deputies for the ensuring year; such voting to be conducted as a special meeting to be held in January for that purpose after due notice has been given to all Lodges regarding the time, purpose of the meeting, the necessary qualifications of the candidates, etc. The names of those selected for consideration will be ranked according to the votes received. 1,2,3 North, 1, 2,3, South. Resumes of all candidates will be submitted along with the results of the vote.

Section 4. AUXILIARY ORGANIZATIONS.

The Utah Elks Association recognizes any adjunct or auxiliary organizations that has been so recognized by any Member Lodge under the authority of the Grand Lodge Constitution Article III, Section 18, and approved by the Grand Lodge in the Member Lodges By-Laws. If the organization so recognized has been recognized by more than one Lodge and as a state level organization, the state level organization shall be recognized.

ARTICLE XIII GENERAL PROVISIONS

Section 1. All legislation governing the State Association which has been approved by the Grand Lodge of the Order shall be considered a part, properly distributed of this Constitution and By-Laws.

Section 2. Any provision herein in conflict with or in contravention of any future enactment of the Grand Lodge governing State Association shall be considered automatically repealed or amended to conform thereto.

Section 3. Whenever a situation arise for which there is not provision herein, recourse for relative guidance shall be had to the Constitution and Statutes of the Grand Lodge governing a same or similar situation.

Section 4. The State Association shall have the power to incorporate as a non-profit corporation under the laws of the State of Utah, its members being Lodges of the State of Utah, which shall conform and be subservient to and limited to this Constitution and the officers and directors of the corporation shall be identical to the elected officers and trustees of the State Association.

ARTICLE XIV CONSTITUTIONAL AMENDMENTS

Section 1. Every Lodge endorsed and proposed amendment or change in the Constitution/or By-laws shall be filed in writing with both the President and Secretary of the Association, a copy sent to each Member Lodge not less than thirty (30) days prior to any UEA meeting and shall state in full the proposed change in the Constitution on Laws of the Association for a report at any UEA meeting. If such an amendment or change is approved by a two-thirds thirds vote of the members in good standing of Member Lodges present and voting, it shall, within thirty (30) days, be submitted to all Member Lodges for adoption. It shall take a two-thirds affirmative vote of the membership to adopt or change any such amendment.

Section 2. Constitutional changes mandated by Grand Lodge action shall be automatically incorporated into the Utah Elks Association By-Laws or Constitution, whichever is affected, by the Committee on Laws which is to report said action at the next regularly-scheduled Meeting of the Association. Two-thirds majority vote of the members in good standing of the Member Lodges present is necessary to enact such changes.

Section 3. Constitutional changes proposed by the Committee on Laws of the Utah Elks Association shall be voted on at any Convention, Fall, Spring or Special Meeting called for such a purpose. Notice of such proposed action shall be filed in writing with the President and Secretary of the Utah Elks Association and two (2) copies shall be given or sent to each Member Lodge at least thirty (30) days prior to the date of the meeting. Two thirds majority vote of the members in good standing of the Member Lodges present is necessary to enact such changes.

ARTICLE XV AUTHORIZATION OF CONSTITUTION

Section 1. This Constitution and any Amendments when duly adopted at any authorized meeting of the State Association shall not become effective until two-thirds of the Member Lodges have affirmatively duly ratified this Constitution.

BY-LAWS OF THE UTAH ELKS ASSOCIATION

ARTICLE I MEMBERSHIP

Section 1. Membership in the Utah Elks Association shall be limited to duly installed Benevolent and Protective Order of Elks Lodges located within the jurisdiction of the State of Utah.

Section 2. A Lodge desiring to become a member of the Association shall submit a request in writing to the Secretary of the Utah Elks Association. A copy of the request will be mailed by the Secretary to each Member Lodge for its consideration, and balloting will be held at the next regularly scheduled meeting.

Section 3. Annual dues, or a portion thereof, for each member on the roll of a Member Lodge as of the date of acceptance shall be assessed and shall be paid to the State Treasurer within thirty (30) days.

Section 4. Annual dues for each member on the rolls of a Member Lodge as of March 31 will be paid at or before the second business session of the May Convention of the Utah Elks Association by each Member Lodge.

Section 4.A. Annual dues for the following year will be proposed by the Board of Trustees, approved by the Membership at the second business session of the May Convention, and sent to the member Lodges for Ratification when the amount of dues changes.

Section 5. A Lodge that is delinquent in the payment of its dues will have no voting privileges or be able to participate in State Association initiated programs.

ARTICLE II VOTING AND CREDENTIALS

Section 1. For the election of officers, the Secretary of the Member Lodge, an authorized agent or the Exalted Ruler of the Member Lodge shall, no later than April 15th of each year, file with the Secretary of the Association the names of the selected delegates and alternate delegates. Copies of the listing will also be provided to the Convention Committee, and the Secretary of the Host Lodge. If at the opening of the first business session of the May Convention, such names for any

of the Member Lodges have not been filed with the Secretary of the Association, any member of such Members Lodge shall be eligible to become a delegate who shall have one vote.

Section 2. The Committee on Credentials of the Association shall determine the qualifications of all delegates and alternate delegates at meeting of the Association upon information furnished to its chair by Member Lodges.

Section 3. For voting each Member Lodge shall have ten (10) votes, which votes shall be hereinafter termed Base Votes, the Exalted Rule of each Lodge, or an authorized representative shall be the delegate to vote at elections.

Section 4. In addition to the above, each Member Lodge shall have an additional vote for each fifty (50) members or fractions thereof, in good standing belonging to said Lodge which shall be voted by selected delegate as hereinafter set forth.

Section 5. Each Member Lodge shall qualify a selected delegate for each vote set forth in Section 4 above and selected delegates voting the votes set forth therein must be present at the meeting when the same is to be voted or such vote shall not be valid.

Section 6. Voting by the selected delegates may be as follows. **Section 6.A.** Selected delegates shall vote as instructed by their Lodges.

Section 6.B. Selected delegates shall decide by majority decision how all Lodge votes are cast.

Section 6.C. Base Votes shall be cast by the Exalted Ruler or an authorized representative with the remainder of the Lodge vote being cast on an individual basis

Section 7. Only members of the Order, shall be admitted to a business session of the Association, except that the presiding officer may direct the admission of any other person informing on a matte of business at hand; and unless otherwise herein designated, the right to participate in and vote upon the business of the Association at any Utah Elks Session shall be vested in the members in good standing of the Member Lodges; provided that all Utah Elks must register in order to

attend the meetings. A majority vote of those present is necessary for adoption.

ARTICLE III MEETINGS

Section 1. The Utah Elks Association shall have three regularly scheduled meeting as follows: An Annual Convention to be held in May, Fall Meeting to be held in September and Spring Meeting to be held in March, the dates to be established in advance at a regularly scheduled meeting.

Section 2. Lodges desiring to host the Annual Convention of the Association in May shall submit a written, lodge-membership-approved request at the May Convention of the Association approximately one year before the Convention is to be held. The request will include a detailed description of available meeting location, banquet and other meal facilities, commercial lodging, transportation and parking. The State Secretary will provide the estimated attendance of meetings et cetera upon Lodge request.

Section 3. Lodges desiring to host the Spring Meeting shall make a similar request by the Spring Meeting one year prior to the requested meeting.

Section 4. Lodge desiring to host the Fall Meeting shall make a similar request at the Fall Meeting one year prior to the requested meetings.

Section 5. The Host Lodge of said May Convention in conjunction with the State Association Meetings Committee shall provide suitable facilities for holding all business meeting sessions of the Association, Ritualistic Contest, Memorial Services, dinners, banquets, dances and whatever else may be provided for a least said meeting. Member Lodges, by April 15th, shall send to the Host Lodge a list of delegates who will vote at the election of new officers. The Host Lodge will preregister all delegates prior to the first business session of the Convention. The State Association Meeting Committee shall provide the estimated number of people to attend each function. Said Host Lodge shall further provide for the reunion of the Past Exalted Rulers and the current Exalted Rulers of the Member Lodges of the Association, shall provide all programs recreation and assist with the

business sessions of the May Convention. The Exalted Rule of the Host Lodge and the State Association Meetings Committee shall coordinate their programs with those of the Association and with this in mind, all programs must be approved by the Utah Elks Association Meetings Committee. The Association will, when appropriate, pay for its invited guests.

Section 6. The Host Lodge of all State Association Fall and Spring Meetings shall provide suitable facilities for holding all business and social functions.

Section 7. If the Host Lodge selected for a meeting is unable for any reason to accommodate such meeting or fails in any other respect to comply with requirements agreed upon, the State President shall select another meeting place and if necessary, a new time. The State Secretary shall then notify the Member Lodges of the new place and time.

Section 8. Special Meeting of the Association may be called by the President or by the Advisory Council upon notice to all Member Lodges stating the time, place and purpose of such meeting.

ARTICLE IV REVENUE OF THE ASSOCIATION

Section 1. The revenue of the Association shall be derived from the following sources:

Section 1.A. Annual dues to be paid on or before the beginning of the second business session of the State Convention each year by a qualified Lodge for each member on the rolls of said Lodge as of March 31st of said year.

Section 1.B. Donations and gifts to the Association.

Section 1.C. Funds allocated from Grand Lodge for specific purposes.

Section 1.D. Miscellaneous revenues.

Section 1.E. Individual fees for registration for each meeting of the Association shall be set forth by the Trustees at least one year prior to the meeting. Registration monies in surplus are the property of the Hosting Lodge. The decision of the Trustees will be final.

Section 1.F. Publication of a State Association newspaper. All profits from publication of a State Association newspaper, which are derived

through a publication contract or other means of revenue, shall be used only for charitable programs and purposes.

Section 1.G. Unexpended budgeted funds may be re-appropriated in following years for the same purposes.

Section 2. All revenue of the Association shall be paid to the Secretary of the Association to be handled and used in accord and with the provisions of the Constitution and By-Laws of the Association.

Section 3. Failure of a Lodge to remit its dues as herein provided shall render such Lodge delinquent, which shall revoke the right of its delegates or alternate delegates to vote or otherwise participate in the actions of the Association. Four (4) months after the due date such Lodge shall be automatically suspended from membership in the Association until all its unpaid dues are remitted, provided that no Member Lodges shall be suspended automatically or otherwise without first being afforded an opportunity to be heard on the matter of nonpayment of dues. The hearing shall be conducted by the Advisory Council or a Committee thereof shall thereafter at the earliest reasonable time, render its decision in writing to the Member Lodge, either readmitting said Lodge to membership in the Association with conditions attached thereto or to affirm suspension.

ARTICLE V FUNDS

Section 1. The Funds of the Association shall be classed as follows:

- 1. General Funds
- 2. Special Project Fund.
- 3. Restricted Funds.
- 4. Utah Elks Student Loan Fund
- 5. Utah Benevolent Elks Trust Fund.

ARTICLE VI NOMINATIONS, ELECTION, INSTALLATION

Section 1. It shall be the duty of the Nominating Committee to place in nomination the name of all lodge-sponsored candidates for elective office. Nothing herein, however, should be construed as preventing nominations from the floor, which will be permitted, immediately following the report of the Nominating Committee.

Section 2. Nominations, whether by Nominating Committee or from the floor, shall be made for all elective offices, except President, to be filled in the order in which they appear in the Constitution, and shall be the order of business next following Reports of Officers and during the first business session of the May Convention.

Section 3. The Presiding Officer, when satisfied that no further nominations for the office are forthcoming, shall entertain a motion that they be closed for that office, and shall continue in a like manner, through all the elected offices to be filled. The Presiding Officer shall then forthwith announce the reasonable approximate time for elections, which unless due action determines otherwise, shall be a special order of business of the session of such meeting, but not earlier than the day following, providing however, that the Presiding Officer, shall, at that time of elections, re-open nominations for any elective office if, for any reason, no nominations for such office exists.

Section 4. At the order of elections, uncontested elections shall be considered first, and the Convention may, by proper action, direct the casting of a unanimous vote for such candidate or candidates.

Section 5. If, at the time of elections, there is more than one nominee for any office, the Presiding Officer shall appoint an Election Committee and state the rules under which such election will be held said rules to conform with the applicable rules governing the election of a Grand Lodge Officer.

Section 6. Voting shall be by secret ballot on ballots furnished by the Secretary of the Association, and the candidate for each office receiving a majority of the votes cast shall be declared the winner.

Section 7. Installation shall be the last order of business of the last business session of the May Convention. It shall be by approved ritual exemplified by the designated installing officer and any officer may be installed proxy.

ARTICLE VII DUTIES OF OFFICERS

Section 1. The President shall have general supervision and direction of all business and activities of the Association; when present, shall preside at all meeting of the Association; decide all questions of order subject to appeal to the Assembled Delegates of and duly constituted meetings of the Association; appoint the members of all committees, give due regard to the desires of the Member Lodges except those for which provision is otherwise made; perform all other duties that may be required by the Laws of the Order, the Constitution and By-Laws of the Association and such as are customarily performed by a presiding officer; act as exofficio member of all committees and at the Annual May Meeting next following the installation as President make a report of the administration, together with whatever recommendations that may be presented for the improvement of the Association.

Section 1.A. In the absence or inability of the President to act, the Vice-Presidents of the Association (in succession) shall perform the duties of the President. And shall be the ex-officio members of such committees as may be assigned by the President of the Association, and shall perform such other duties as shall be required by the Constitution and By -Laws, or as the President may assign.

Section 2. The Secretary:

Shall attend all meetings of the Association.

Section 2.A.2. Keep a true record of its proceedings, a copy of which shall be forwarded at the earliest reasonable time to each Member Lodge.

Section 2.A.3. Preserve its records and documents.

Section 2.A.4. Receive all monies paid to the Association, remit the same to the Treasurer in such a manner as the Board of Trustees shall direct, in exchange for a proper receipt, therefore.

Section 2.A.5. Forward to the Grand Lodge all reports required from the State Association under the Laws of the Order.

Section 2.A.6. Attend all secretarial correspondence.

Section 2.A.7. Furnish suitable credential forms for the use of delegates and alternate delegates attending a meeting of the Association.

Section 2.A.8. Notify Member Lodges of meetings.

Section 2.A.9. Prepare and submit an annual report to the Association of the Secretarial activities; and

Section 2.A.10. Perform such other duties as may be requested by the President, assigned by the Association at its meetings, or directed by the Constitution and By-Laws.

Section 2.B. Before assuming the duties of office, the Secretary shall deliver to the Board of Trustees a bond for the faithful performance of those duties in such penal sum as fixed by the Board of Trustees, unless stated in the By -Laws and with surety satisfactory to the said Board, and the cost or premium of such bond shall be paid by the Association.

Section 2.C. The Secretary shall be paid an annual salary in an amount fixed by the Board of Trustees, and ratified by the Association.

Section 2.D. In the event the Secretary becomes incapacitated or unable to perform the duties of the office, the President, with the advice and majority concurrence of the other Elected Officers will appoint a temporary replacement until the next regularly scheduled meeting when an election can be held or until the Secretary can resume the duties of the office.

Section 3. The Treasurer:

Section 3.A.1. Attending all business sessions of the Association; **Section 3.A.2.** Receive from the Secretary all monies, funds, or securities belonging to the Association in exchange forthwith for an official receipt therefore:

Section 3.A.3. Deposit the same in such bank or banks or investments as the Board of Trustees directs or approves.

Section 3.A.4. Withdraw budgeted funds only by check order signed by the Committee Chair and countersigned by both the Secretary and the Treasurer.

Section 3.A.5. Draw checks for payment of Association debts or accounts after the same have been submitted to and approved by the Board of Trustees.

Section 3.A.6. May withdraw, only at the direction of the Board of Trustees, funds that were previously budgeted and approved by the Association which were not spent in prior years for purposes designated by the Board of Trustees.

Section 3.A.7. Shall not withdraw any Association Funds not previously budgeted, with or without the approval of the Board of Trustees, unless first approved by the Association.

Section 3.A.8. Make a full report of the Treasurer's account at the May Meeting following installation as Treasurer, as copy of such report to be promptly furnished to all Lodges.

Section 3.A.9. Account to the succeeding Treasurer for all funds, securities, or other property belonging to the Association in the possession of the Treasurer.

Section 3.A.10. Perform such other duties as may be requested by the President, assigned by the Association at is meetings, or directed by the Constitution and By-Laws.

Section 3.B. Before assuming the duties of office, the Secretary shall deliver to the Board of Trustees a bond for the faithful performance of those duties in such penal sum as fixed by the Board of Trustees, unless stated in the By -Laws and with surety satisfactory to the said Board, and the cost or premium of such bond shall be paid by the Association.

Section 3.C. The Treasurer shall be paid an annual salary, in an amount fixed by the Board of Trustees and ratified by the Association.

Section 3.D. In the event the Treasurer becomes incapacitated or unable to perform the duties of the office, the President, with the advice and majority concurrence of the other Elected Officers will appoint a temporary replacement until the next regularly scheduled meeting when an election can be held or until the Secretary can resume the duties of the office.

Section 4. The Board of Trustees:

Section 4.A.1. Organize annually, immediately after the installation of officers, by selecting a Chair and a Secretary. Specific duties may likewise be assigned to any or each member of the Board.

Section 4.A.2. Have general supervision and control of the tangible and intangible property of the Association, and perform such other duties, not herein designated, necessary or advisable to maintain, protect or promote the assets of the Association.

Section 4.A.3. Before the vote on the annual budget, furnish a copy of said proposed annual budget to the delegates of each Member Lodge at the May Meeting in which it is to be approved. The proposed budget for the ensuing year shall be approved by not less than two-thirds (2/3) of the qualified votes present. The Trustees shall not authorize or approve the expenditure of any funds belonging to the Association more than those approved at said May meeting except by due process as herein set forth.

Section 4.A.4. Through its Chair, advise each Committee Chair of the amount approved for its programs and budgets by publication of the approved budget and revisions thereto. It is the responsibility of each Chair to manage that program with the approved budget. Each Committee Chair or the reporting Vice-President or President has not authority to exceed the budget without prior written approval from the Board of Trustees.

Section 4.A.5. Shall have the power to transfer funds from one Committee Budget to another as the need may arise if the chairs of the concerned budgets agree to the transfer.

Section 4.A.6. Examine all bills and accounts presented to it by the Secretary for payment, and endorse therein, their approval or disapproval.

Section 4.A.7. At the May Meeting of the Association, present a written report of its activities for the preceding year, a copy to be furnished to each Lodge, and perform such other duties as may be requested by the President, or assigned by the Constitution and By-Laws.

Section 5. The Sergeant-at-Arms:

Shall execute the orders of the President, assist in preserving order, act as Marshall of all parades or other public appearances; in all business sessions of the Association shall assist the Tiler in examining the qualifications of all persons seeking admission; shall select such deputies as shall be required to assist in the discharge of those duties.

Section 6. The Tiler:

Shall perform at each meeting of the Association, substantially the same duties as those performed by a Tiler of a Lodge of the Order.

Section 7. The Chaplain:

Shall perform the duties customarily performed by the Chaplain of comparable organizations, together with such other duties as may be assigned by the President.

Section 8. The Inner Guard:

Shall assist the Tiler and the Sergeant-at-Arms at all meetings of the Association and perform such duties as the President shall request or assign.

Section 9. Any Officer of the Association claiming reimbursement for expenses while engaged in performing or transacting the business of the Association shall submit an itemized statement or account for the same to the Board of Trustees of the Association through the Secretary of the Association, in such manner as said Board shall determine, and such account shall not be approved otherwise,

Section 10. The Officers of the Association shall make such official visits to the respective Lodges constituting the Association, and the President is authorized to direct any officer of officers to make an official visit either with or in the name of the President. In the Absence of the President, the officers or the officer of highest rank if more than one is designated to make such visit, shall promptly, on the completion thereof, make a full written report to the President concerning the same.

ARTICLE VIII VACANCIES AND REMOVAL FROM OFFICE

Section 1. Whenever a vacancy shall occur in an elective office of the Association by reason of death, resignation, physical disability, removal or other cause, the duties thereof shall be assumed and performed until the elections at the next regularly scheduled May convention following the occurrence of the vacancy and until a successor has been duly installed.

Section 2. All Officers, elective or appointive, missing any two (2) consecutive meetings of the Association without an acceptable excuse shall automatically be removed. The President has absolute discretion and shall decide whether an excuse is acceptable. Excuses for missed meetings must be submitted in writing ten (10) days ahead of the missed meeting. (In writing shall mean a record form of communication where a signature or digital signature is required, i.e., U.S. Postal Service, telegraph, e-mail with digital signature, or encrypted verification or fax.)

Section 3. The President shall have the power to appoint a temporary replacement for anyone so removed under.

ARTICLE IX COMMITTEES

- **Section 1.** The Association shall have a standing Committee for all the mandatory Committees as specified in Section 18.020 of the Grand Lodge Statutes, and such other Committees as are necessary and advisable to assist the Member Lodges in promoting the programs of Elkdom in Utah. The incoming President will appoint the Chair of all Committees and announce them at the time of installation.
- **Section 2.** All Committee Chairs serve as the pleasure of the President and may be replaced at any time the President considers such action to be in the best interest of the Association.
- **Section 3.** The President may appoint such special committees as may be deemed necessary to the best interest of the Association. Said appointments shall be for the term concurrent with the President and shall expire at the order of installation at the next State Convention or when so ordered by the President.
- **Section 4.** Each Committee shall, not later than the Spring Meeting of the Association, present its proposed program and budget for the ensuing fiscal year to the Board of Trustees of the State Association. Within 60 days after appointment the Chair of each Committee shall submit a detailed breakdown of proposed expenditures in the budget of that Committee.
- **Section 5.** Nothing precludes the President from combining duties of Committees in the interests of efficiency and expediency or where practicality demands such action.
- **Section 6.** The Chair of each Committee may appoint such Committee Members as the Chair determines is necessary to conduct business of that Committee with the approval or endorsement of the President.
- **Section 7.** It is not the intent of this Association to force Committees to finance the Association with their personal funds.
- **Section 7.A.** If an account is not available and a price for goods or services is known in advance, the price will be submitted to the Board of Trustees for approval. After Trustee approval, the State Treasurer will cut a check out of the budget to the supplier and give the same to

the Committee Chair who then will purchase the goods or services and promptly return a receipt to the State Treasurer.

Section 7.B. In all cases Committee Chairs are urged to use accounts, with approval of the Board of Trustees, that will send a monthly bill for payment to the State Treasurer. All invoices must be signed by the Committee Chair or the Chair's agent. When this process is impractical, and many small purchases, at different suppliers, are required to carry out the function of said Committee, a petty cash fund, when approved by the Board of Trustees, will be set up and funded by the State Treasurer out of the Committee's budgeted funds. The amount of the funding will be determined by the Board of Trustees and a strict accounting of al receipts and remaining funds will be forwarded to the State Secretary on completion of the project. However, if said project runs longer than one calendar month, a recap of funding spent will be given to the State Secretary. Any additional funding of the petty cash fund must be approved by the Board of Trustees.

Section 7.C. In all cases, where a petty cash fund has been established, all accounts with receipts and remaining funds will be given to the State Secretary for compilation no later that the Spring Meeting—unless specifically exempted by the Board of Trustees. Section 8.A. The State Association Meetings Committee will consist of one (1) member appointed by the Association President and one (1) member appointed by the Host Lodge. The Utah Ladies of Elks and the Auxiliaries of the Host Lodge may be asked to appoint advisors to the State Association Meetings Committee. The State Association Meeting Committee will: Section 8.A.1. Establish convention programs and schedules as approved by the State President.

Section 8. Review and approve Host Lodge established programs and changes.

Section 8.A.1 Ensure that the Host Lodge arranges for and accomplishes pre– registration.

Section 8.A.2. Provide registration forms for all Lodges prior to April 1 of each year. Section 8.A.5. Submit a detailed report to the State President and to the State Secretary of each Fall Meeting, Spring Meeting and State Convention no later than sixty (60) days following the meeting. Section 8.B. At each of the three Utah Elks Association Meetings, (Fall, Spring and State Convention) the Secretary of the Host Lodge will collect all registration fees set by the Board of Trustees. All

Elk members attending are required to register and pay the amount set.

Section 8.B. The Host Lodge will keep that portion of those registration fees needed to pay the following expenses that the Host Lodge is responsible for:

Section 8.B.1. Banquets: Table and/or room decorations will be furnished by the Host Lodge; seating arrangement will be decided by the State President; the Host Lodge will keep complete and accurate accounting of registration fees received and expense incurred to be given within thirty (30) days after a State Meeting to the State Association Meetings Committee Chair. Any surplus money from registration fees is to be sent to the State Secretary to be placed in the General Fund.

Section 8.B.2. Banquet Tickets: The Host Lodge will provide banquet tickets for the Grand Exalted Ruler, Past Grand Exalted Ruler Sponsor, State President (and Spouses), and any special guests and spouses of the State President.

Section 8.B.3. Arrangements for the P.E.R. Breakfast, P.S.P/P.D.D. Meal, Ladies Luncheon and any other meals that may be needed. These are self-funding functions; the member present will be responsible for the collection of extra money to pay for any dignitary they wish to pay for.

Section 8.B.4. In-room gratuity of at least 1 bottle of preferred beverage and mixer for the Grand Exalted Rule, Past Grand Exalted Ruler Sponsor and the State President.

Section 8.B.5. Lodging arrangements will be made by the State Association Meetings Committee for the Grand Exalted Ruler, Past Grand Exalted Rule Sponsor, State President, Special Deputy Grand Exalted Ruler and any Special Guests of the State President. The State Association Meetings Committee will make every possible effort to secure complimentary rooms for these people, but the Utah Elks Association will pay for the rooms if it becomes necessary. All others will pay for their own rooms.

Section 8.C. Youth Award Winners and Families: Transportation, meals and lodging costs will be paid by the Lodge that sponsored the winner. No charge will be made to the Utah Elks Association, unless budgeted for by the Board of Trustee.

Section 8.D. Checkers, Computer and Ritual Judges: If any accommodations, meals or services are to be furnished to out-of-state

judges, they are the responsibility of the State Ritual Chair, and all expenses will be charged to the budget of the State Ritual Committee.

Section 9. All Committees of this Association shall pattern their activities upon the Grand Lodge Elks Program as directed by the State President.

Section 10. Listing for all committees for the ensuing year will be published in the State Directory and may list such other information as may be useful or necessary for the operation of the State Association as determined by the State President.

ARTICLE X DUTIES OF COMMITTEES

Section 1. The State President will provide a guide to each Committee Chair when appointed.

ARTICLE XI UTAH BENEVOLENT ELKS TRUST

Section 1. That the Board of Governors of the Utah Elks Association, Inc., the Benevolent Trust Fund, when duly created by constitutional enactment, shall have power to elect a Chair and such other officers as may be deemed proper; to adopt rules for their meetings and the conduct of their business; to enter into contracts on behalf of the Board of Governors for any and all necessary purposes in connection with the duties of such Board; to have custody of the funds committed to such Board by the authority of the Utah Elks Association; to require bond or such penalty as may be determined, or form such of its officers that may have the actual custody of such funds; to keep an accurate account of its receipts and expenditures, to make a report at a regularly scheduled State Association meeting of its proceedings; and to do and perform such other acts and duties as may be properly incident to those specifically mentioned herein.

ARTICLE XII ORDER OF BUSINESS

Section 1. The order of business at all meetings of this Association, unless otherwise provided by majority vote of the delegates, shall be as follows.

1. Call to Order.

- 2. Invocation.
- 3. Tribute to the Flag.
- 4. Roll Call of Officers.
- 5. Roll Call of Lodges.
- 6. Sickness and Distress.
- 7. Report on Committee on Credentials.
- 8. Reading of the Minutes of the Last Meeting. (If not published)
- 9. Report on Officers by Seniority.
- 10. Report on Nominating Committee and Nominations. (When Appropriate)
- 11. Reports on Committees by Seniority.
- 12. Trustees Report.
- 13. Unfinished Business.
- 14. New Business.
- 15. Good of the Order.
- 16. Elections of Officers.
- 17. Installation of Officers.
- 18. Closing and Adjournment.

ARTICLE XIII LIMITATIONS

Section 1. No matter of a political, sectarian or commercial character shall be introduced at any meeting of the Association, and no person shall be directly or indirectly endorsed or recommended for any political office, nor shall any public question or commercial proposition be introduced or discussed unless the same directly relates to or affects the Order and its membership, or unless previous action on such a subject shall have been taken by the Grand Lodge.

ARTICLE XIV RITUALISTIC AWARD

Section 1. The Installation Ritual recommended by the Grand Lodge Committee on State Associations is hereby adopted.

Section 2. To encourage superior initiatory ritualistic work on the part of all Lodges of the Order in the Association, a trophy shall be awarded annually by the Association to the Lodge obtaining the highest score in its rendition of the Ritual at the Ritualistic contest held annually. The respective Lodge Officers presenting the ritual shall be rated by the

prescribed Grand Lodge sheets, and the Association shall make provision for adequate and competent judges and clerks.

Section 3. Individual trophies shall be provided by the Association for presentation to the officer obtaining the highest individual score for an individual office in the rendition of the ritual.

ARTICLE XV BY-LAW AMENDMENTS

Section 1. Any proposed amendments to the By-Laws of this Association shall be handled exactly as detailed in Articles XIV and XV of the U.E.A. Constitution.

APPENDIX NUMBER ONE COMMITTEES

- 1. Americanism
- 2. State Association Activities and Visitation
- 3. Credentials, Necrology and Nominating
- 4. Laws
- 5. National Foundation
- 6. Ritualistic
- 7. Youth Activities Scholarship
- 8. Youth Hoop Shoot
- 9. National Service
- 10. Hides for Veterans
- 11. Major Project
- 12. Student Loan Fund
- 13. Auditing
- 14. Public Relations and Publicity
- 15. New Lodges
- 16. Officers Training
- 17. State Association Meetings
- 18. Government Relations
- 19. Business Practices
- 20. Benevolent Fund Raising
- 21. Drug Awareness
- 22. Utah Elks Publication
- 23. Membership and Lapsation
- 24. Sponsor's Trophy

APPENDIX NUMBER TWO

ADVISORY COUNCIL OPERATING RULES AND PROCEDURES

- 1. This body shall act as an informative unit advising Lodges of the programs and proposals of the State Association and informing the State Association of the wishes and positions of the Member Lodges on items of business brought before it for consideration.
- 2. The Advisory Council shall use ROBERT'S RULES OF ORDER, NEWLY REVISED, as a parliamentary guide in its proceedings.
- 3. Members of the Council shall be seated, where practical, around tables in the front of the room, and shall have one vote per Lodge to be cast by the Exalted Ruler. In the case of the absence of the Exalted Rule, the alternate will vote for the Lodge.
- 4. Interested Elks may participate but have no vote, and they will be seated separate from the Advisory Council.
- 5. Voting will be by roll call of Lodges by Lodge number.
- 6. Items will be discussed as printed on the agenda. Items not on the agenda will be discussed if time permits and the council votes to hear the item.
- 7. No speaker may be heard a second time until all who desire to speak have been heard a first time.
- 8. Speakers have a five-minute time span in which to express themselves when speaking for or against a motion.
- 9. Speakers will rotate POSITIVE/NEGATIVE until all who desire to speak have been heard.
- 10. There will be a limit of one amendment to a MAIN MOTION and only one amendment to any amendment.
- 11. Caucus time of three minutes can be requested prior to voting on any motion.

APPENDIX NUMBER THREE DUTIES OF THE ELECTION COMMITTEE

The President appoints three or five delegates from Member Lodges to server in this capacity during the voting process. Those appointed can be from any of the Member Lodges, but it would be wise to appoint delegates from Lodges that do not have candidates in the election. Duties.

- 1. Receive from the Secretary of the Association the collected ballots from the Member Lodges.
- 2. Count the ballots...one person tallies...the others open, examine the ballots, and read the results for the tally.

- 3. Seal the collected ballots in an envelope to be given to the Secretary...to be opened in case of a problem needing a recount.
- 4. Provide the Secretary of the Association with the results of the election and the envelope containing the counted ballots. THE EXACT COUNT SHOULD NOT BE REVEALED—JUST THE RESULTS>

OFFICERS STANDING FOR NOMINATIONS IN THE ORDER THE ARE NOMINATED ARE:

- 1. First Vice-President
- 2. Second Vice-President
- 3. Secretary
- 4. Treasurer
- 5. Trustee

APPENDIX NUMBER FOUR

REQUIREMENTS FOR LODGES HOSTING THE U.E.A. MEETINGS

These requirements must be read and understood by potential Host Lodges prior to bidding on a meeting. The Lodge E.R. should distribute the list of required duties and events to their officers, meeting chairperson, committee and L.O.E., or other helping group, before a decision is reached to bid on a meeting. The following general and specific requirement for each of the U.E.A. meetings held each year is intended to help the Lodge decide whether to bid on a meeting. Any Lodge wanting to host a meeting and needs any financial help from U.E.A. must submit in writing a request to the U.E.A. Trustees for the amount and reasons of funds prior to the bidding on hosting meeting.

U.E.A. MEETING (typical for all meetings)

1. Bidding on Meeting

Bid is awarded at the U.E.A. Meeting one year prior to event and must be in writing and sent to Advisory Council sixty (60) days prior to meeting. Date is set when bid is presented to Advisory Council for preliminary approval. Final approval by majority vote on floor of U.E.A. Meeting.

2. Prior to Event

Pre-registration forms sent to each Lodge 60 days prior. Section 1. May or may not include an agenda of meetings, meals and prices, housing availability, price and misc. Information deemed necessary to help increase member participation, i.e. golf matches, et cetera.

3. Planning Meeting

Meet with State President, and/or meeting chairman at least 45 days prior. Finalize agendas for meeting times, committee meeting, meals and prices, bar prices and all aspects of event. Remember, this is the State President's meeting, and your planning must have his, or his agent's approval, before implementation.

4. Update Lodges

Two weeks prior send updates or changes to each Lodge. Ask to be posted on bulletin board, published in Lodge bulletin and read on the floor.

5. Attendance

Request approximate attendance figures from previous Host Lodge or State Secretary along with any helpful suggestions. Plan room allocations, meals, meeting rooms, number of shuttles, et cetera around this information.

6. Housing

The Hosting Lodge is responsible for the cost and reservations for the following: State President, State Sponsor, P.G.E.R., Special Deputy, G.E.R., and Invited Visiting Dignitaries. Depending on which meeting your host, the housing requirements will differ as to complimentary rooms required. Obtain as many comp. rooms as possible from the headquarters hotel to provide for this contingency. The total number of invited guests and dignitaries is up to the State President and should be known by you well in advance.

7. Meals

Print agendas for all meetings including all meals, prices, place and times which will be include the following:

Thursday Night dinner, Friday Night dinner, Saturday Night banquet.

Two luncheons, Friday and Saturday, plus luncheons for PSP/PDD and L.O.E.

Three breakfast, continental or full-on Friday, Saturday and Sunday, plus breakfasts for P.E.R. and L.O.E. Past State Presidents Saturday.

Hosting Lodge is responsible for the cost of approved Dignitaries meals, transportation and in-room gratuities such as floral arrangements, beverages, fruit basket, et cetera.

8. Registration

Set up designated table in entrance hall. Provide volunteer to man table. Suggested times:

Thursday, 2:00 P.M. to 8:00 P.M.

Friday, 7:00 A.M. to meeting start and 2:00 P.M. to 8:00 P.M. Saturday, 7:00 A.M. to meeting start

Registration monies are the Host Lodge's to help defray overall cost.

Any surplus is the property of the Host Lodge.

11. Meeting Logistics

Provide the meeting room with adequate space and seats to host the expected number of members.

Make sure the meeting room is adequately heated or air conditioned and is properly lit.

Ensure that no outside noises, i.e. public paging from the lounge, intrude upon the proceedings in the meeting room.

Placement of banners, pictures, flags, alter emblems, and chairs in position.

Provide rooms or spaces for committee meetings of hour or more depending on chairperson's request.

Other Meeting Requirements

State Memorial service which is staged by the Host Lodge.

Room suitable for all Ritual Competition.

The Trustees and Break-out committee as listed in the meeting agenda will require rooms.

Open houses for Lodges promoting candidates on Friday.