

2005

RESOLUTION TO REVISE/UPDATE BCHM CONSTITUTION:

Whereas: There are some omissions in the BCHM Constitution, and it needs a general update, and;

Whereas: BCHM needs a current and accurate Constitution in order to conduct business in an orderly manner.

Therefore be it resolved: That the assembled voting delegates to the 2005 annual meeting of the BCHM adopt the following changes, deletions, and additions to the BCHM Constitution.

Change

Article III, Sec. 3: All chapters must be approved by the voting delegates at an annual meeting, or by the SBD.

Rationale: The word "the" was changed to "an" to be more grammatically correct.

Change

Article IV, Sec. 3: The SBD shall have the power to take any action not inconsistent with law, the Constitution and Bylaws of BCHM, or any duly enacted resolution of an annual convention, or a special assembly of the voting delegates.

Rationale: The word "the" was changed to "an" to be more grammatically correct.

Change

Article V, Sec. 1: The annual convention, or meeting, of BCHM shall be held at such a time and place as is determined by the assembled voting delegates at an annual meeting two years prior to said convention or meeting.

Rationale: The word "the" was changed to "an" to be more grammatically correct.

Addition

Article V, Sec. 4, C: At the December meeting of the SBD, prior to the annual convention, the State Chairman shall appoint a Resolutions Committee of at least three (3) members from at least three (3) different chapters.

Rationale: (of the SBD) added for clarity.

Change

Article V, Sec. 4, C,1: To screen all resolutions submitted for accepted form and grammar, and for content appropriate to the stated Purposes of BCHM.

Rationale: The word "correct" changed to "accepted", and the word "purposes" capitalized, for clarity.

Addition

Article V, Sec. 4, E: During the floor discussion of a resolution at an annual or special BCHM meeting, a delegate from a chapter that submitted an original resolution, or a state director (in case of a SBD originated resolution), may make a privileged motion.

Rationale: (at an annual or special BCHM meeting) added for clarity.

Change

Article V, Sec. 4, F: All items for business sponsored for the special agenda part of the annual meeting must be placed with the meeting chairman by the pre-convention meeting of the SBD.

Rationale: Changing the time for introduction of special agenda proposals from “prior to the beginning of the special agenda” to “by the pre-convention meeting of the SBD” will allow more time for the State Directors to confer with the voting delegates regarding the issues.

#### Change

Article V, Sec. 4, G: All items of business sponsored for the special agenda must be bona fide “special”, in that there was no opportunity to have presented it for the regular agenda. This would primarily happen because of breaking information, news, or events. The SBD shall determine what constitutes bona fide “special” prior to the special agenda part of the annual meeting.

Rationale: This will give a better understanding of what constitutes a valid special agenda proposal.

#### Addition/Change

Article V, Sec. 7: When their annual BCHM chapter dues have been duly submitted, each chapter is authorized to seat eight (8) voting delegates at an annual BCHM convention, who are entitled to vote on all matters duly brought before the convention.

Rationale: Adding “when their annual BCHM chapter dues have been submitted,” clarifies official convention participation eligibility. The word “the” was changed to “an” to be more grammatically correct.

#### Change

Article V, Sec 11: The chapters shall be assessed BCHM membership dues for the following year as determined and approved by a simple majority vote of the voting delegates in attendance at an annual meeting or a special assembly of the voting delegates.

Rationale: The word “the” was changed to “an” to be more grammatically correct.

#### Change

Article VI, Sec. 3: (old) State Directors shall be elected to serve staggered two year terms, the alternate to serve for one year. No State Director shall be elected to serve more than three consecutive terms except when that director is serving as either Chairman or Vice Chairman, in which case he/she may continue to serve beyond the three consecutive terms while serving in either of these offices.

(New) Second sentence: No State Director shall be elected to serve more than three consecutive terms except when that Director is serving as the Chairman, in which case he/she may continue to serve beyond the three consecutive terms while serving as Chairman.

Rationale: Allowing the Vice Chairman to serve beyond three terms presents the possibility of an individual being eligible to serve another year as Vice Chairman with voting rights, while having been replaced as State Director by another individual from the same chapter, thus giving that chapter three votes instead of the two allowed other chapters. This would also present an additional BCHM travel expense for the Vice Chairman, when they are already paying the travel expenses for the Chairman and the Secretary, if appointed.

#### Addition

Article VI, Sec. 5: Duly elected Montana National Directors shall be ex-officio non-voting members of the SBD, provided they are not already members. SBD membership is not a prerequisite for election to the NBD.

Rationale: Adding “non voting” to this section eliminates the possibility of a chapter having more than two votes. The main reason for the inclusion of the National Directors on the SBD is for informational and advisement purposes.

#### Change/Addition

Article VII, Sec. 1: [sentence 4] An appointed secretary must be a member in good standing of an affiliated BCHM chapter, but does not represent that chapter with voice or vote.

Rationale: This has been our past practice, but was not understood by everyone. It provides for equal representation and number of votes for all member chapters.

#### Change

Article VII, Sec. 2: [line 13, sentence 6] The Secretary shall perform duties for the benefit of all chapters, including recording, filing, and distributing to the chapters, the minutes of all meetings of the SBD and the voting delegates, and such other duties normal for the office of Secretary.

Rationale: The word “of” which preceded “the minutes” was eliminated for grammatical reasons.

#### Addition

Article VII, Sec. 11: [new section] The immediate past Chairman of the SBD shall serve as an advisory member of the SBD for a period of one year with mileage expenses paid by the treasury of the BCHM at rates established by the SBD.

Rationale: We have been retaining this position with nothing in the Constitution governing it. The purpose is for continuity, and one year should be adequate.

#### Addition

Article VIII, Sec. 2: [old] BCHM-related office expenses of the SBD Chairman and Secretary shall be borne by the treasury of BCHM.

[new] BCHM-related office, travel and necessary lodging expenses of the Chairman and Secretary, if appointed, shall be borne by the treasury of BCHM.

Rationale: We have been paying these expenses for years, but somehow this provision does not appear in the Constitution.

#### Addition

Article VIII, Sec. 3: [old] BCHM-related office expenses of other officers of the SBD shall be borne by the treasury of BCHM.

[new] BCHM-related office expenses of other officers of the SBD, and State Directors working on BCHM projects, shall be borne by the BCHM treasury.

Rationale: This authorizes the BCHM treasurer to pay for costs incurred by those officers and State Directors conducting legitimate BCHM business.

#### Addition

Article VIII, Sec. 4: [old] Mileage expenses incurred by National Directors attending SBD meetings shall be paid by BCHM funds upon receipt of a duly submitted voucher.

[new] Mileage expenses incurred by National Directors attending SBD meeting shall be paid by BCHM funds upon receipt of a duly submitted voucher at rates set by the SBD, unless they are concurrently serving

as a State Director from their local chapter.

Rationale: Local chapters should cover the expenses of those representing them.

#### Addition

Article VIII, Sec. 7: [new section] All newly formed BCHM chapters shall have their dues waived for the first calendar year following their affiliation acceptance.

Rationale: This has been a consistent past practice that does not appear in the Constitution.

#### Change/Addition

Article XIII, Sections 1,2,&3: All three of these sections should be deleted, and a new section 1 written which states: This Constitution, with revisions, was approved by the assembled voting delegates at the 2005 annual Convention of the BCHM.

Rationale: Section 1 was part of the Constitution of the original BCHA, and apparently was inadvertently included in the BCHM constitution.

Section 2 dealt with the amalgamation of the High Sierra Stock Users of California, the Backcountry Horsemen of Washington, and the original BCHA of Montana and Idaho, and has no relevance to our present BCHM Constitution.

Section 3 is in error, as the assembled voting delegates are the only ones with the power to approve of amend the BCHM Constitution.

#### Constitution Revision Committee's Observations & Recommendations:

Adherence to Article V, Sec. 10 & Article VII, Sec. 2, which both require the Chairman to preside over all meetings of the SBD and business affairs of the assembled delegates, must occur consistently.

Despite the fact that the SBD voted, in the December 2003 meeting, to sponsor a resolution for the 2004 annual meeting which would amend Article X, Sec. 3, of the BCHM Constitution to allow a National Director to serve more than three consecutive terms, it was not done. This amendment is not necessary.

Since, in a given year, the BCHA annual meeting occurs after the BCHM annual meeting, and since a newly elected National Director doesn't actually attend a BCHA annual meeting until the following calendar year after his/her election, a National Director whose eligibility for reelection may be expired, will still attend and represent BCHM at the BCHA annual meeting in that given year. Thus, he/she would be eligible to be elected to the office of National Chairman at that BCHA annual meeting. If this should occur, BCHM will have already elected a new National Director to represent them at the first BCHA annual meeting to be chaired by the preceding BCHM National Director.