

# INTERNATIONAL BROTHERHOOD OF MAGICIANS "HEART OF AMERICA" RING 129 INC.

APPROVED BY-LAWS (9/7/95)

## ARTICLE I - NAME, AFFILIATION AND PURPOSES

Section 1. Name and Affiliation: The name of this organization shall be International Brotherhood of Magicians "Heart of America" Ring 129, Inc. It shall be affiliated with the International Brotherhood of Magicians (I.B.M.). As such an affiliate any part of these by-laws shall be out of force until such disagreement is rectified.

Section 2. Purposes: The purposes of this organization shall correspond to the objectives as listed in the constitution of the International organization as applicable to the needs of the Greater Kansas City area. In summary, these purposes and objectives are: (a) to promote and advance the art of magic for the purposes of entertainment and amusement; (b) to encourage and protect the production of magical literature and invention; (c) to teach the art of magic and presentation to any and all members; (d) to discourage false or improper advertising of magical effects, literature, and merchandise; (e) to discourage improper competition; and (f) to oppose the exposing of magical secrets to the public in any type of performance, by whatever means employed.

## ARTICLE II - MEMBERSHIP

### Section 1. Regular Members:

- (a) Shall be 18 years of age or older.
- (b) Shall be a member of I.B.M. or have an application pending.
- (c) Shall have attended at least two meetings of this local organization.
- (d) Shall make some kind of presentation before the membership present at a regular meeting of this local organization within 90 days of submission of membership application.
- (e) Shall be approved by a majority of the Board of Directors.
- (f) Shall be entitled to full privileges of membership including the right to vote and hold office.

### Section 2. Associate Members:

- (a) Shall be 18 years of age or older and a spouse, parent/guardian, or bona fide assistant of a regular member.
- (b) Shall be an associate member of I.B.M. or have an application pending.
- (c) Shall be approved by a majority of the Board of Directors.
- (d) Shall be entitled to the same privileges as a regular member.

### Section 3. Junior Members:

- (a) Shall be between the ages of 12 and 18 years of age.
- (b) Shall be a Junior member of I.B.M. or have an application pending.
- (c) Shall be approved by a majority of the Board of Directors.
- (d) Shall be entitled to all privileges of regular member except shall not be allowed to vote on officers or on constitutional matters.
- (e) Shall be allowed to hold position only of an appointive nature.

## ARTICLE III - OFFICERS

### Section 1. Types of Officers and Duties:

#### *President*

- (a) Shall preside at all meetings.
- (b) Shall convene a monthly board meeting of the officers and executive board for the purpose of planning and coordinating activities of the club.
- (c) Shall appoint committees.
- (d) Shall serve as an ex-officio member of all committees.

#### *Vice President*

- (a) Shall assume the duties of president when the president is unable to be present.
- (b) Shall act as membership chairman. In such capacity, he shall encourage new memberships, inform prospective members of requirements, work with the treasurer to collect dues, make contacts concerning membership with the I.B.M., see that membership requirements are met, and keep the president, secretary and treasurer informed of membership status of all new and old members.

***Secretary***

- (a) Shall take minutes at all board meetings and monthly business meetings.
- (b) Shall circulate such minutes to all board members and make available to membership at the next regular meeting.
- (c) Shall see that a regular monthly report is submitted to the Linking Ring magazine outlining the club activities.
- (d) Shall be in charge of any special mailings, (i.e. mailing of election ballots).
- (e) With Executive Board approval, may appoint any personnel necessary for the conducting of business of this office, (i.e. Ring Reports for the Linking Ring magazine, etc.)

***Treasurer***

- (a) Shall be in charge of depositing all funds in the club account.
- (b) Shall be in charge of disbursement of funds as directed by a vote of the membership or of the Executive Board.
- (c) Shall be responsible for the collection of all admissions to lectures, auctions and other special events.
- (d) Shall work with the Vice-President in the collection of membership dues.
- (e) Shall make a monthly report of finances to the Executive Board.
- (f) Shall keep an itemized ledger of accounts and such ledger shall be open to inspection by any Executive Board member upon reasonable motive and at reasonable times.

***Sergeant-At-Arms***

- (a) Shall work with the Executive Board in planning a suitable program for lectures and regular meetings.
- (b) Shall be in charge of the program section at regular meetings.
- (c) Shall work with the Executive Board in locating suitable locations for regular meetings and for special events.
- (d) Shall be in charge of any necessary room arrangement or clean-up.
- (e) Shall assist in member and guest sign-in at regular monthly meetings.
- (f) Shall maintain order at regular monthly meetings.

***Executive Board***

- (a) Shall consist of the officers and four additional members, one of which shall be the immediate past president.
- (b) The other three members shall be elected for a three year term each. Each of these terms is staggered so that each year, one member's term shall expire and another club member shall be elected for a three year term to replace the outgoing board member.
- (c) May make such rules and regulations for the management and operation of the organization not inconsistent with the laws of the State or with these by-laws. It shall have the power to establish such committees as it deems appropriate and necessary.

All of the corporate powers, except such as are otherwise provided for in these by-laws and by statute, shall be and are hereby vested in and shall be exercised by the Executive Board. The Executive Board may delegate to Officers of the Corporation such powers as may be deemed necessary. In respect to all questions of interpretation arising under the by-laws, the majority decision on the Executive Board shall control.

**Section 2. Method of Election:**

- (a) A nominating committee shall be decided by vote of members present at the September regular meeting.
- (b) There shall be at least one nominee for each office submitted by the nominating committee. Nominees shall have been a member of the local club for at least 12 months prior to taking office and shall be a regular or associate member of I.B.M.
- (c) Nominations to be announced no later than the regular October meeting. Other nominations may be made from the floor.
- (d) The election shall be conducted by secret vote to be taken at the regular November meeting. All nominees who do not win an office shall have the opportunity to have their name re-submitted in the running for an open office.

- (e) An absentee ballot can be requested from the existing nominating committee. This completed ballot must be in the possession of the nominating committee no later than the day prior to the November meeting.
- (f) Joint Meetings of old and new board shall be held at the December Executive Board Meeting.
- (g) New officers shall take over at the Annual Stage Magician of the Year Banquet in January.

## **ARTICLE IV - MEETINGS**

### **Section 1. Regular Meetings:**

- (a) Regular monthly meetings shall be held during the first half of each month at a regular time and place easily accessible to a majority of members.
- (b) The first time a guest comes to a regular monthly meeting, there is no charge. The second attendance requires a two dollar fee. On the third visit, they will be asked to join and at that time the annual membership fee is due.

### **Section 2. Special Meetings:**

- (a) Special lectures, auctions or other special meetings may be held at the discretion of the Executive Board. These meetings shall be announced through the regular monthly newsletter or special mailing when time and finances permit. If no other way is reasonable or practical, a telephone committee may be appointed to contact members of such special meetings.

## **ARTICLE V - GENERAL**

- (a) An amendment to these by-laws must first be submitted in writing to a meeting of the Executive Board. The Executive Board shall then deem whether such amendment shall be submitted to the general membership. This shall take a simple majority vote in the Executive Board.
- (b) If the amendment passes the Executive Board, then it shall be submitted in writing by a special mailing or in the newsletter. A vote shall be taken among the regular and associate members present at the next regular meeting. It will take a simple majority of the votes cast to pass such an amendment.

## **ARTICLE VI - GENERAL**

### **Section 1. Dues:**

- (a) Annual dues shall be set and assessed by the Executive Board.
- (b) Admissions to special events to be set by Executive Board.
- (c) A person joining the club after June 30, shall pay pro-rated dues at the following rate: July \$12.50; August \$10; September \$7.50; October \$5; November \$2.50. As with all new members, a \$5 application fee will be charged in addition to these pro-rated dues. These pro-rated dues may be modified by the Executive Board.

### **Section 2. Quorums:**

- (a) A quorum of the Executive Board shall consist of three. This figure shall include at least two regular officers, one of which must be either the President or the Vice President.
- (b) Interim action by telephone and mail in the interval between meetings of the Executive Board may be taken by the President with the cooperation of the Executive Board. The President may refer and submit by mail or telephone to the Executive Board. The President may refer and submit by mail or telephone to the Executive Board resolutions relating to the affairs of the Corporation which, in the opinion of the President, require prompt action on the part of the Executive Board. The votes of said persons given by telephone and later confirmed by mail shall have the same force and effect as if given in person at a meeting duly called to consider and take action upon said resolutions.

### **Section 3. Indemnification of Officers:**

- (a) The Corporation shall, unless prohibited by law, accept the sole legal responsibility for any action taken or omitted by any persons acting in the capacity of an officer, provided such person did not act in bad faith or in a manner opposed to the best interest of the Corporation.

## Article VII – Parliamentary Authority – May, 1999

The rules contained in the current edition of Robert's Rules of Order shall govern the Ring in all cases to which they are applicable and which they are not inconsistent with these by-laws and any special rules of order the Ring may adopt.

## Article VIII – Dissolution – July, 2000

Should the Ring decide to disband for any reason, the Board of Directors shall be authorized to carry out the disposition of any remaining funds or assets after all bills are paid. Such funds shall be placed with the International Brotherhood of Magicians, International Office.