

# Klamath Basin Amateur Radio Association (KBARA)

## Constitution

---

### Preamble

We, the members of the Klamath Basin Amateur Radio Association (KBARA), in order to promote fellowship, knowledge, and public service through amateur radio, establish this Constitution as the governing law of the Association.

---

## Article I – Name and Purpose

### Section 1. Name

The name of this organization is the **Klamath Basin Amateur Radio Association**. The Association may also be known as **KBARA** or **K-BAR-A**.

### Section 2. Purpose

The purposes of the Association are to:

1. Further the exchange of information and cooperation among members.
  2. Promote radio knowledge, fellowship, and individual operating efficiency.
  3. Advance the general interest and welfare of Amateur Radio in the community.
  4. Provide communications capability and support in the event of emergencies or public service needs, as determined by the membership and consistent with applicable law.
- 

## Article II – Identity and Principal Office

### Section 1. Identity

KBARA is a voluntary association organized under the laws of the State of Oregon.

### Section 2. Principal Office

The principal office of the Association shall be located in **Klamath County, Oregon**. The principal office may be changed as determined by the executive leadership and recorded in the Association's official records.

### Section 3. Registrations and Filings

The Association shall maintain any registrations, filings, or licenses required by federal, state, or local law. Specific

addresses, registered agents, and similar operational details shall be maintained in the Association's Operating Procedures or official records, not in this Constitution.

---

## Article III – Membership

### Section 1. Governance of Membership

Membership categories, eligibility, rights, duties, and dues obligations are defined in the **Bylaws**. The Bylaws shall also specify nomination, approval, and reclassification processes, including **Lifetime Membership** approval requirements.

### Section 2. Participation Requirement

Membership, as defined in the Bylaws, is required to participate in Association-sanctioned or sponsored activities.

### Section 3. Non-Discrimination

Membership shall not be denied on the basis of race, creed, color, religion, gender, sexual orientation, political affiliation, marital status, disability, age, or any other status protected by law.

---

## Article IV – Officers and Elections

### Section 1. Officers

The Association shall have officers to manage its affairs. The specific offices, their duties, and provisions for combining or separating roles shall be defined in the Bylaws.

### Section 2. Eligibility

Only members meeting the **Full Voting Membership** criteria set forth in the Bylaws are eligible to seek and hold office.

### Section 3. Elections and Terms

1. Officers shall be elected for terms and according to the procedures, timelines, and voting methods set forth in the Bylaws.
2. The Bylaws shall define the eligibility requirements for voters and the majority threshold required for a valid election.

### Section 4. Vacancies

Vacancies occurring between elections shall be filled by **special election** at the next regular meeting, following the eligibility and voting procedures set forth in the Bylaws.

### Section 5. Loss of Eligibility

If an officer ceases to meet the requirements for Full Voting Membership, they shall vacate office unless retention is agreed upon as provided in the Bylaws.

---

## Article V – Governance Documents and Amendments

### Section 1. Documents

The governing documents of the Association are, in order of authority:

1. **This Constitution**
2. **Bylaws**
3. **Operating Procedures** and other adopted policies

### Section 2. Constitution Amendments

1. Proposed amendments to this Constitution must be **announced at a regular meeting**.
2. Voting on constitutional amendments may be conducted **electronically or in person**.
3. Adoption requires a **two-thirds (2/3) majority of Full Voting Members participating** in the vote.

### Section 3. Bylaws and Operating Procedures

1. The Bylaws shall establish the detailed governance and membership rules of the Association. Bylaw amendments require the approval of a two-thirds (2/3) majority of Full Voting Members participating in the vote.
2. The Association may adopt Operating Procedures to manage day-to-day operational details. These procedures may be adopted or updated by a simple majority vote of the membership as specified in the Bylaws.

---

## Article VI – Dissolution

Upon dissolution of the Association, and after payment or provision for all liabilities, the remaining assets of the Association shall be distributed in accordance with applicable law in effect at the time of dissolution.

Such distribution shall be to one or more nonprofit organizations, governmental entities, or other lawful recipients whose purposes are consistent with the purposes of the Association, as determined by the membership or as required by law.

No assets shall be distributed to any member, officer, or private individual except as permitted by law.

If the membership is unable to determine lawful distribution, a court of competent jurisdiction in Klamath County, Oregon shall direct distribution in accordance with applicable law.

---

## Article VII – Activities, Earnings, and Compliance

### **Section 1. No Private Inurement**

No part of the net earnings of the Association shall inure to the benefit of any member, officer, or private person, except that the Association is authorized to pay **reasonable compensation** for services rendered and to **reimburse expenses** incurred in furtherance of Association purposes.

### **Section 2. Permissible Activities; Advocacy**

The Association shall operate for purposes **permitted by applicable law**. The Association may engage in **advocacy or lobbying activities to the extent permitted by law**, and **only to the extent consistent with any tax-exempt status it may seek or hold**. Such activities shall **not** be the Association's **primary purpose** unless permitted by its then-current legal status.

### **Section 3. Political Activity**

The Association will **comply with applicable law regarding political campaign or electoral activities**. If the Association seeks or holds a specific tax-exempt status, it shall adhere to the **limits and prohibitions** that apply to that status.

Any political, advocacy, or public position taken in the name of the Association must be authorized in accordance with the Bylaws.

### **Section 4. Consistency with Law**

Notwithstanding any other provision of this Constitution, the Association shall not engage in activities or exercise powers that are **inconsistent with applicable law** or not in furtherance of the purposes of the Association.

---

## **Article VIII – Indemnification**

To the fullest extent permitted by **Oregon law**, the Association shall **indemnify** its officers, directors, and authorized volunteers for liabilities incurred in the course of their authorized duties, **except** in cases of fraud, intentional violation of law, or malicious acts. The Association may purchase insurance to support this indemnification.

---

## **Article IX – Adoption**

This Constitution becomes effective upon approval by a **two-thirds (2/3) majority of Full Voting Members participating** in the adoption vote, conducted electronically or in person as noticed.

---

## Certification

This Constitution of the Klamath Basin Amateur Radio Association (KBARA) was adopted on **[Insert Date]** by a two-thirds (2/3) majority of Full Voting Members participating.

- **President:** \_\_\_\_\_ **Date:** \_\_\_\_\_
- **Secretary:** \_\_\_\_\_ **Date:** \_\_\_\_\_