

DISTRICT 4-C4

Constitution and By-Law Changes for 2008

The enclosed constitutional changes will be
voted on at the upcoming District 4-C4
Convention on May 17th, 2008

3/29/2008

This year we have requested some changes be made to the District 4-C4 Constitution. There are seven changes that are being recommended. Please review these changes with your Board of Directors and Convention Delegates. The changes will be voted on at the upcoming District Convention on May 17th, 2008.

February 28, 2008
District Governor Maxine Frazier
860 Campus Dr. # 128
Daly City, Ca. 94015

Dear Governor Maxine:

Attached, please find a listing of the changes to our Constitution and By-Laws ratified by your Cabinet and yourself.

At the third Cabinet meeting all proposed changes to our Constitution were presented to the members present.

Copies of all ratified changes shall be sent, by the Cabinet Secretary to each club president, via US mail 30 days before convention, so that the proposed changes can be discussed by the clubs before their delegate vote, at the District Convention.

The finalized proposed constitutional changes shall be placed on the ballot, at our District Convention, so the delegates can cast their votes.

Please see Article X Sections 1-3, by-Laws section, of our Constitution for any clarification on the ongoing process.

Thank You,

Mel Phillips, PDG
Constitution and By-laws Committee

Amendment #1

This amendment makes the seated Governor signatory to contracts for future Conventions.

Current:

Article VI, Section 6. The Convention Committee shall consist of the three (3) immediate Past District Governors. The senior member of the committee shall be the convention's chairman. The junior member shall be the registration chairman. The remaining member shall be the housing chairman. These three (3) Past District Governors shall hold a position on the convention committee for a period of not more than three (3) consecutive years. The District Governor may appoint any other Lions to said committee that he/she believes necessary to operate the convention.

As Amended:

Article VI, Section 6. The Convention Committee shall consist of the three (3) immediate Past District Governors. The senior member of the committee shall be the convention's chairman. The junior member shall be the registration chairman. The remaining member shall be the housing chairman. These three (3) Past District Governors shall hold a position on the convention committee for a period of not more than three (3) consecutive years. The District Governor may appoint any other Lions to said committee that he/she believes necessary to operate the convention. **Once a convention site is selected for a designated year or years with the selected hotel or venue, all finalized contract between the vendor and the District shall be signed by the seated Governor.**

Committee Comments:

1. The way our constitution is written it gives all authority and responsibility for this convention to the Convention Chair, which remains the same. My opinion is "The seated District Governor should be signing all convention contracts," as they will be on the convention committee for the following three years.
2. Shouldn't we look into the Convention Committee's Policy Manual (Binders that have been handed down throughout the years) for the duties of all three chairs? The suggested changes are a change in the policy of this committee. Therefore my opinion is that they do not belong in our District Constitution, they belong in a policy manual.

Cabinet Comments:

1. The only change is the signature authority on the new contracts. The District Governor should sign the contract as the District Governor will be the one that deals with the hotel for that contract. The Convention Chair will be gone and may not be able to make adjustments to the contract. The Cabinet felt that the District Governor is the only one that has the authority to obligate the District.

Amendment #2

This change adjusts the date the convention report is due to the District to no later than June 30th of the year in which the convention was held.

Current:

Article VI ~ Section 7

In accordance with the provisions of Article V, Section 3 of this Constitution and By-Laws all financial transactions of the Convention Committee shall be carried on through the accounts of District 4-C4 and under the control of the District Treasurer. Said financial transactions shall be maintained in a separate account for the Convention Committee. The Convention Committee shall have control of and responsibility for its fund balance, receipts and disbursements. The Convention Committee Chairman shall submit to the District Treasurer a written report which shall include a detailed and verified accounting of all fund receipts and disbursements, including and reconciled with the beginning and ending fund balances and an inventory of all supplies as of the ending date of the accounting. Said report shall be submitted **within thirty (30) days after the close of the District Convention**. All bank statements, cancelled checks and other financial correspondence shall be mailed directly from the bank to the District Treasurer monthly.

As Amended:

Article VI ~ Section 7

In accordance with the provisions of Article V, Section 3 of this Constitution and By-Laws all financial transactions of the Convention Committee shall be carried on through the accounts of District 4-C4 and under the control of the District Treasurer. Said financial transactions shall be maintained in a separate account for the Convention Committee. The Convention Committee shall have control of and responsibility for its fund balance, receipts and disbursements. The Convention Committee Chairman shall submit to the District Treasurer a written report which shall include a detailed and verified accounting of all fund receipts and disbursements, including and reconciled with the beginning and ending fund balances, and an inventory of all supplies as of the ending date of the accounting. Said report shall be submitted **no later than June 30th in the year in which the convention is held**. All bank statements, cancelled checks and other financial correspondence shall be mailed directly from the bank to the District Treasurer monthly.

Committee Comments:

1. We agree with this change of the due date, mainly, because of the time it has taken the hotels to complete their billing packages.

Cabinet Comments:

1. We agree with this change of the due date, mainly, because of the time it has taken the hotels to complete their billing packages.

Amendment #3

This change requires that the settlement for the first place winner of Y&CA take place prior to June 30th of the contest year and that winning checks be distributed no later than the date of the annual District 4-C4 Convention.

Current:

Article VII, Section 3(b)

None

As Amended :

Article VII, Section 3(b) (newly added Section)

Duties and responsibilities of Youth and Community Committee:

- 1. Conduct negotiation and arrive at a settlement with the 1st place winner of every year's drawing no later than June 30 of the contest year.**
- 2. Issue all checks to the winners and participating clubs no later than the annual District Convention.**

Committee Comments:

1. I believe the statements offered above should be contained in a policy manual or in the already existing Districts Committee Chairs Manual.
2. I also think we should add a statement to the YC&A tickets stating the "Automobile being awarded shall be a BASIC MODEL." The committee shall also provide a complete listing of all drawing winners along with the amount and contact information to whomever will be issuing the 1099 Forms.

Cabinet Comments:

1. We feel that the Article needs to be amended so that there is no delay in closing out the Y&CA ticket program in the year that it is held.
2. We agree with the comment on the tickets for the auto to be a "Basic Model" but feel that the Y&CA committee can do that without a constitutional change.

Amendment #4:

This change requires that the annual report be submitted 30 days prior to the Second Cabinet meeting instead of 30 days prior to the first Cabinet Meeting.

Current:

Article VIII, Section 8.

The District Governor shall annually appoint a professional accountant who will be charged with reviewing the district budget funds and expenditures of all financial accounts of the district including but not limited to general funds, special reserve funds, convention funds, youth and community activity sale funds and all funds in the treasuries of both the San Francisco and Peninsula Council of Lions Clubs. The professional accountant shall submit a report of his/her findings to the Budget and Finance Committee thirty (30) days prior the **first Cabinet Meeting**.

As Amended:

Article VIII, Section 8.

The District Governor shall annually appoint a professional accountant who will be charged with reviewing the district budget funds and expenditures of all financial accounts of the district including but not limited to general funds, special reserve funds, convention funds, youth and community activity sale funds and all funds in the treasuries of both the San Francisco and Peninsula Council of Lions Clubs. The professional accountant shall submit a report of his/her findings to the Budget and Finance Committee thirty (30) days prior the **second Cabinet meeting**.

Committee Comments:

1. We as Lion Leaders, have a fiduciary responsibility to our members and part of that responsibility is make sure all monies are accounted for in an expedited amount of time.
2. Why would we want this report to linger another couple months. My feeling is that we should be able to clear the previous year accounting completely by the First Cabinet Meeting. Not later.

Cabinet Comments:

1. The reason for the change of dates was to allow the District to complete the review and have the budget committee review the report prior to the Second Cabinet Meeting. Sometimes the First Cabinet Meeting is in August and this does not allow for sufficient time to complete the review by the auditor as well as review by the finance committee. As such we felt the presentation at the Second Cabinet Meeting was reasonable.

Amendment #5:

This change requires that the annual tax returns be filed by November 1st of each year. This would be 15 days prior to the due date of the annual return.

Current:

Article VIII ~ Section 9

None

As Amended:

Article VIII ~ Section 9 (newly Added Section)

The District Governor shall annually appoint a professional accountant who will be charged with filing the District's tax returns no later than November 1st of his or her year of appointment.

Committee Comments:

1. Where will the added funding for the accountant's added duties come from? We may have to add a line item and/or money to the yearly budget.
2. November is too late. My opinion is that when this District hires anyone to provide a service, they should meet our timelines, not that we should meet their timelines.

Cabinet Comments:

1. The Cabinet felt that the Constitution should include the filing of the annual tax return and the date that the returns should be filed. The Cabinet felt that the returns need to be filed prior to the due date with no extensions.

Amendment #6:

This amendment deletes the due dates of the dues from August 5th and February 15th to 30 days of the invoice date sent by MD-4.

Current:

BY-LAWS

Article IX, Section 1

Each charter club in District 4-C4 shall contribute eight dollars and forty cents (\$8.40) per member annually to fund the district's operating expenses, payable semi-annually on August 5th of each year, based on the club membership as of June 30th of the same year, and on February 15th, based on the club membership as of December 31st of the previous year. Said payment shall be made to the Executive Secretary of Multiple District Four.

Article IX, Section 2

Each Charter club in District 4-C4 shall contribute six dollars (\$6.00) per member annually, payable semi-annually on August 15th of each year, based on the club membership as of June 30th of the same year, and on February 15th, based on the membership as of December 31st of the previous year, as reported to Lions Club International.

As Amended:

BY-LAWS

Article IX, Section 1

Each charter club in District 4-C4 shall contribute eight dollars and forty cents (\$8.40) per member annually to fund the district's operating expenses, payable semi-annually **within 30 days of invoice sent by MD-4. Dues are based on the club membership as of June 30th of the same year and on the club membership as of December 31st of the previous year, as reported by Lions Clubs International.** Said payment shall be made to the Executive Secretary of Multiple District Four.

Article IX, Section 1

Each Charter club in District 4-C4 shall contribute six dollars (\$6.00) per member annually, payable semi-annually **within 30 days of invoice sent by MD-4. Dues are based on the club membership as of June 30th of the same year and on the club membership as of December 31st of the previous year, as reported by Lions Clubs International.**

Committee Comments:

1. My opinion is that this is a warranted change due to the fact that the MD-4 invoices sometime comes to the clubs later then the listed above dates and it clarifies the payment due date.

Cabinet Comments:

1. The MD-4 invoices sometime comes to the clubs later then the listed above dates and this will clarifies the payment due date.
2. Dues are made to the Executive Secretary of Multiple District Four and shall be paid within 30 days of invoice date sent by MD-4.

Amendment #7:

Each year the District Governor hands over \$2,000 to the new District Governor as seed money to start out the year. All funds are accounted for by the District. This amendment changes the date that the funds are handed over from June 30th to May 31st.

Current

By-Laws

Article IX ~ Section 3

On **June 30th** of each year, the District shall have in its Administrative Fund the minimum net amount of Two Thousand Dollars (\$2,000) to turn over to the incoming District Governor to begin the new administration.

As Amended:

By-Laws

Article IX ~ Section 3

On **May 31st** of each year, the District shall have in its Administrative Fund the minimum net amount of Two Thousand Dollars (\$2000) to turn over to the incoming District Governor to begin the new administration.

Committee Comments:

1. My opinion is "No monies should change hands until the incoming Governor's term begins, July 1." The District Governor's term does not begin until July 1st. The District Governor Elect does not have the right to open accounts or to spend District funds. Only the District Governor has that right.
2. This request for seed money, for the incoming Governor, could be handled much more effectively through the District's Budget, by adding income and expense lines. If we add line to the District Budget there would be no question as to where the monies would be going and for what. (Deposit on incoming governors venue for installation, bank accounts and excreta)

Cabinet Comments:

1. The Cabinet feels that the transfer of funds would make it easier for the District Governor Elect to start the year. All funds would still be accounted for within the District Budget.