

JAPANESE AMERICAN CITIZENS LEAGUE

40th Biennial National Convention

National Council Meeting

Salt Lake City, UT

July 16-20, 2008

CONSTITUTION & BYLAWS **COMMITTEE PROCEDURES**

1. **PROPOSALS TO AMEND.** Proposals to amend the Constitution or the Bylaws of the Japanese American Citizens League may originate, pursuant to the Constitution, Article XII, Section 1, only upon motion of the National Board, a District Council or the National Youth/Student Council.
2. **FILING REQUIREMENTS** for proposals to amend the Constitution or Bylaws:
 - (a) All proposals shall comply with all of the following requirements:
 - (1) The proposal shall be submitted in the format specified by the Constitution and Bylaws Committee (“Committee”);
 - (2) It shall be drafted in language that is clear, brief and precise; and
 - (3) Although a proposal may seek to amend more than one article of the Constitution and Bylaws, it must be restricted to a single issue or closely related set of issues.
 - (b) Authorized filing methods. Whenever a filing is described in this document, the following contact information must be used:
 - (1) JACL c/o Karen Yoshitomi, PNW Director
 - (A) E-mail: jaclpnwro@msn.com
 - (B) Fax: (206) 623-0526
 - (C) Mail: 671 S. Jackson St., Suite 206, Seattle, WA 98104.
 - (2) Committee chair: Gary Mayeda, email to gmayeda@aol.com
 - (c) **Preliminary Review.** Proposed amendments may be submitted to the Committee for optional, *non-binding* review subject to the following requirements:
 - (1) The proposal must comply with all requirements of Section 2(a) above;
 - (2) The proposal must be signed by a Chapter President, District Governor, member of the National Youth/Student Council or a member of the National Board;
 - (3) The proposal must be filed no later than April 7, 2008 by *one* of the following methods:
 - (A) Electronic mail sent to JACL and to Committee Chair Gary Mayeda;
 - (B) Facsimile transmission to: JACL, time stamped by the deadline; *or*
 - (C) Mail to the Committee at JACL and postmarked by the deadline, bearing an original or facsimile signature of approval.
 - (d) **Formal Review.** All proposals shall be submitted for review to the Committee subject to the following requirements:
 - (1) The proposal shall comply with all requirements of Section 2(a) above;

- (2) Approvals. Each proposal shall be approved by its Proponent and signed as follows:
 - (A) Approved by the National Board and signed by a National officer;
 - (B) Approved by a District Council and signed by the Governor or designee of the Governor; or
 - (C) Approved by the National Youth/Student Council and signed by the Chair or the National Youth/Student Representative.
 - (D) Any proposal which originates from a Chapter or a Chapter Youth/Student Chairperson *may* be signed by the Chapter President or Youth representative *in addition to* the National Board, District Council representative or NY/SC representative.
- (3) Unless indicated in the appropriate section of the proposal form that there is no fiscal impact, the proposal form shall be accompanied by a completed Fiscal Impact Statement in the format provided by the Committee;
- (4) All proponents are strongly encouraged to file proposals no later than May 5, 2008 to allow time for committee review and changes. All proposals *must* be filed with the National Director no later than May 15, 2008 [Constitution, Article XII, Section 2], by one of the following methods:
 - (A) Electronic. Send the proposal in a Word document by e-mail to JACL and to the Committee Chair provided that:
 - (i) the original signed copy is mailed to the Committee at JACL and postmarked no later than May 15, 2008; *or*
 - (ii) a pdf file is attached to the e-mail showing an image of the proposal, including authorized signatures; or
 - (B) Non-electronic.
 - (i) Facsimile transmission to: JACL, time stamped by the deadline; *or*
 - (ii) Mail addressed to the Committee at JACL and postmarked by the deadline, bearing an original signature of approval or a signature conveyed by facsimile transmission.
 - (iii) All proposals filed by non-electronic means shall in addition be submitted in Word format on a CD or flash drive mailed to JACL by May 15, 2008.

3. COMMITTEE REVIEW OF PROPOSALS.

(a) Preliminary Review.

- (1) The Committee shall promptly review all proposals timely filed for preliminary review.
- (2) The Committee shall advise the Proponent of:
 - (A) The extent to which the proposal effectively accomplishes its intended purpose;
 - (B) The existence of possible conflicts with the Constitution and Bylaws not addressed by the proposal;
 - (C) Any other concerns regarding the appropriateness of the proposal; and

- (D) Any suggestions for alternate language, approach or other disposition of the proposal, including the need to consolidate the proposal with another proposal with similar content, or to split the proposal into two or more parts restricted to a single issue or set of issues.
 - (3) The Committee shall communicate its response to the Proponent no later than April 21, 2008.
 - (4) The preliminary review of the Committee is advisory only and shall not bind the Committee or the Proponent.
 - (5) Proposals filed for *preliminary* review will not be *formally* reviewed unless the Proponent has requested such review in writing or by e-mail and the formal filing has complied with all requirements of Section 2 (c).
 - (b) **Formal Review.**
 - (1) The Committee shall review all proposals timely filed to determine:
 - (A) Compliance with submission requirements of Section 2 (c) above;
 - (B) The effectiveness of the proposed amendment in fulfilling its stated purpose;
 - (C) The need to consolidate the proposal with any other proposal(s) with a related content or purpose or to split the proposal into two or more parts restricted to a single issue or set of issues; and
 - (D) The extent to which the proposal is in conflict with provisions of the Constitution and Bylaws which are not addressed by the proposal.
 - (2) The Committee shall reject any proposal not filed by the mandatory deadline specified in Section 2(c)(4).
 - (3) In its discretion, the Committee may reject, amend or consolidate with another proposal any proposal which overlaps with another proposal in its content or purpose.
4. **DISTRIBUTION OF PROPOSALS.** The National Director shall distribute to every Chapter no later than June 10, 2008 copies of all proposed amendments submitted for formal review, including proposals rejected by the Committee. [Constitution, Article XII, Section 2.]
5. **COMMITTEE REPORT.**
- (a) The Committee shall submit a concise report to the National Director for distribution to the National Council or directly to the National Council as soon as is practicable after completing review of all proposals timely filed for formal review.
 - (b) The report shall include:
 - (1) The decision of the Committee to accept or reject each proposal filed for formal review;
 - (2) Any proposals of the Committee resulting from its amendment, rejection or consolidation of a proposal; and

- (3) Any analysis or recommendations of the Committee to the National Council or to the Proponent in connection with the consideration of any proposal.

6. MEETING OF THE NATIONAL COUNCIL.

- (a) **Consideration of Proposals.** Upon motion of the National Board, a District Council or the National Youth/Student Council, the National Council shall consider proposals to amend the Constitution or Bylaws as set forth herein.
- (b) **Submission and amendment of proposals.**
 - (1) Upon motion by a proponent, the National Council may by majority vote amend and submit for ratification each proposal (A) accepted by the Committee; (B) rejected by the Committee and reconsidered by the National Council; and (C) any proposals duly submitted without notice.
 - (2) Reconsideration. Any proposal which has been rejected by the Committee may be placed by motion on the floor for reconsideration by vote of the Council provided that:
 - (A) The proposal was filed within the deadline set by Article XII, Section 2 of the Constitution;
 - (B) The Committee has determined that the proposal complied with the submission requirements of Section 2 (c) above;
 - (C) With respect to Constitutional amendments, the Council votes to reconsider by a 2/3 majority; and
 - (D) With respect to Bylaw amendments, the Council votes to reconsider by a simple majority.
 - (3) **Bylaw Amendments without Notice.** Proposals to amend the *Bylaws*¹ not filed or distributed as required by Article XII, Section 2 of the Constitution may be considered by National Council for approval upon submission of a written proposal endorsed by at least five credentialed Chapters accompanied by a Fiscal Impact Statement. [Constitution, Article XII, Section 5]. Any such proposal shall be filed as follows:
 - (A) On or before July 11, 2008, by email to the PNW Director and the committee chair, including a Word formatted version of the proposal and a pdf version of the text bearing the required signatures;
 - (B) After June 16, by:
 - (i) e-mail as set forth in the preceding paragraph; and
 - (ii) hand delivery to the committee chair or his designee of a hard copy of the documents; and
 - (iii) hand delivery to the committee chair or his designee of a CD-ROM or USB flash drive containing copies of the proposal and fiscal impact statement.
 - (4) Motions to amend proposals which include textual changes exceeding five words must be submitted to the Committee Chair in writing or by CD or flash drive.

¹ Constitutional amendments cannot be proposed without notice.

(c) **Ratification.**

- (1) The Committee shall oversee a ratification vote on all proposed amendments set forth in Section 6(b)(1) as amended and submitted for ratification by the National Council and shall use its discretion to organize the ratification process.
- (2) The Constitution shall be amended upon ratification by 3/4 of the Chapters present at the National Council meeting. [Constitution, Article XII, Section 3]
- (3) The Bylaws shall be amended upon ratification by 2/3 of the Chapters present at the National Council meeting [Constitution, Article XII, Section 4], provided that the proposal was submitted with notice.
- (4) Proposals to amend the Bylaws without notice shall become effective only after ratification
 - (A) By a 2/3 majority of the Chapters present at the National Council;
and
 - (B) By a 2/3 majority of *all* Chapters in a mail vote conducted in accordance with Constitution, Article XII, Section 5.

2/13/08