

# ACBA Constitution

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## **ARTICLE I. (NAME AND AFFILIATION)**

### SECTION 1:

The name of this nonprofit organization shall be the AMERICAN CAVY BREEDERS ASSOCIATION, INC. (ACBA).

### SECTION 2:

This Association shall be affiliated with the AMERICAN RABBIT BREEDERS ASSOCIATION (ARBA) as a National Specialty Club. It shall maintain that affiliation by meeting the requirements of said Association and paying the required dues.

### SECTION 3:

This Association shall bear a Certificate of Incorporation as a Not-for-profit Corporation. Incorporation shall be in the state of the ACBA Headquarters. (Rev. 03/16)

## **ARTICLE II. (OBJECTIVE)**

### SECTION 1:

The Purpose of the AMERICAN CAVY BREEDERS ASSOCIATION shall be to promote the breeding and improvement of the cavy, and to secure publicity for and interest in the cavy as an exhibition and pet animal.

### SECTION 2:

The ACBA shall assist its members by providing information concerning the care, showing and marketing of cavies. It shall aid in securing public interest for the betterment of the cavy fancy. It shall provide a forum for the members to exchange information about cavies.

### SECTION 3:

The Association shall sanction cavy shows and provide awards for that purpose.

### SECTION 4:

The Association shall assist in the organization of local, regional and state cavy breeders associations and encourage shows at these levels. Local, regional and state clubs must be chartered with the AMERICAN RABBIT BREEDERS ASSOCIATION in order to be affiliated with the AMERICAN CAVY BREEDERS ASSOCIATION.

### **ARTICLE III. (HEADQUARTERS)**

#### SECTION 1:

The headquarters of the ACBA shall be located within the office of the Secretary. (Rev. 5/99)

#### SECTION 2:

The Headquarters of the ACBA shall remain within the United States.

### **ARTICLE IV. (MEMBERSHIP)**

#### SECTION 1:

Membership in the AMERICAN CAVY BREEDERS ASSOCIATION shall be available to all individuals subscribing to the objectives stated in Article II. (Rev. 5/99)

#### SECTION 2:

Application can be made by submitting an application form or other paper indicating a desire to become a member, type of membership sought, name, address, and one or three year's dues to the Secretary. (Rev. 5/99 and 03/16)

#### SECTION 3:

There shall be four (4) classes of membership available in the ACBA: Honorary Life Membership as awarded by the Board of Directors, Adult Membership that is available to those over 18 years, Family Memberships available for up to two adults residing at the same address and any and all minors residing at the same address, who have not reached their 19th birthday, and Youth Membership available to those eighteen (18) years of age or younger. An individual may not hold more than one membership at any one time. (Rev. 2007 and 03/16)

#### SECTION 4:

Life memberships shall be available on an honorary basis as determined by the Board of Directors. Life Members shall have all the rights and voting privileges as adult members. Those holding life memberships prior to this Constitution taking effect, remain life members unless they designate their desire to withdraw.

#### SECTION 5:

All members except life members shall remit dues to the Secretary-Treasurer on an annual basis or within 30 days of their membership expiration date or they will be considered a new

member upon renewal. In the event of a lapse in membership, points for sweepstakes accumulated prior to renewal are forfeited. The cost of various classifications of memberships will be set by the Board of Directors and reviewed on an annual basis. (Rev. 03/16)

#### SECTION 6:

Membership in good standing shall be defined as any member whose dues are currently paid and who is in obedience of the laws, rules and regulations of this Association.

#### SECTION 7:

Only members in good standing may run for office, serve on committees or sign any official petitions.

### **ARTICLE V. (MEETINGS)**

#### SECTION 1:

The Board of Directors shall hold two (2) meetings a year. One shall be in conjunction with the ARBA National Convention and the other with the ACBA National Specialty Show. In the event that either or both of these shows should fail to occur, or a quorum is not convened, The Board should strive to meet at least once a year, at a mutually agreeable time and place.

#### SECTION 2:

Interim meetings of the Board of Directors may be held at the request of a majority of the Board or at the request of the President when believed to be for the good of the Association.

#### SECTION 3:

A quorum of the Board of Directors shall consist of six (6) of the eleven (11) elected officers and directors of the association. A Board member may be considered to be present at a meeting if there in person, or able to participate in the meeting electronically (i.e., via telephone, or internet communication). Entire meetings by the Board of Directors may be conducted electronically, if necessary. (Rev. 9/98, 03/16)

#### SECTION 4:

General membership meetings of the Association will be held in conjunction with the regularly scheduled Board of Director Meetings. If a Board meeting is not held due to lack of a quorum, the membership meeting may still take place, provided there is a quorum of the membership present and at least one Board member present to preside.

#### SECTION 5:

A quorum of the membership shall consist of at least twenty (20) voting members who are in good standing.

#### SECTION 6:

The purpose of the membership meeting shall be to permit the Board members to present problems and ideas for the membership's recommendations. Committees shall present their reports to the membership and the membership may wish to bring forth new business. The membership may request issues be brought to the attention of the entire membership for consideration and vote.

#### SECTION 7:

Special membership meetings may be called by a petition to the Board stating the purpose of the meeting, by at least twenty-five (25) voting members who are in good standing. The Board shall set a time and place expediently, with the convenience of the concerned members in mind, while also allowing for notification of the entire membership.

#### SECTION 8:

A Cavy Judges Conference may be held in conjunction with either or both of the regular membership meetings each year. The Judges Conference shall meet all the requirements and be recognized by the AMERICAN RABBIT BREEDERS ASSOCIATION as an official Conference; however they need not be limited to the minimal requirements set forth by the ARBA.

#### SECTION 9:

The order of business at all regular meetings both Board and Membership shall be:

Roll call or sign in  
Reading of the minutes of previous meetings  
Report of Officers and Committees  
Unfinished Business  
New Business  
Good of the Fancy  
Adjournment  
(Rev. 5/99)

#### SECTION 10:

All Board and Membership meetings shall be conducted by the President of the Association. In the President's absence, the Vice President shall conduct. If both of these officers are absent, the Board Member with the longest tenure shall preside, provided a quorum is met as stated in Article V, Section 5. (Rev. 03/16)

#### SECTION 11:

Roberts rules of order (Revised Edition) shall govern the conduct of business of this association in all matters of order and precedence where this constitution and subsequent duly adopted bylaws and rules & regulations are silent. (Rev. 5/99)

#### SECTION 12:

All meetings of the association and its board of directors shall remain open to all members in good standing with the exception of periods during which sensitive matters (i.e., grievances, disciplinary actions, etc.) are taken up by the board and the presiding officer deems it appropriate to declare a closed session. Upon completion of the discussion of sensitive material, the presiding officer shall declare the meeting open to the general membership and it shall be so noted in the minutes of the meeting by the secretary. Members who choose to observe the proceedings of a board of directors meeting shall not interfere with the proceedings or they will be removed from the meeting. (Rev. 2007)

### **ARTICLE VI. (OFFICERS)**

#### SECTION 1:

The elective officers of this Association shall be a President, Vice President, and nine (9) District Directors – which shall consist of one member from each of the nine (9) districts. The President and Vice President shall be elected by the general membership on opposite years for a two (2) year term.

The President shall be elected on even numbered years and the Vice President on odd numbered years. The District Directors shall be elected for a two (2) year term by and from the membership in their respective Districts. The four (4) even numbered District Directors shall be elected on the even numbered years and the five (5) odd numbered District Directors shall be elected on the odd numbered years. Each year the same number shall be elected as those whose terms shall expire. The President and Vice President shall be eligible to serve for only three (3) consecutive terms in the same office. (Rev. 03/16)

#### SECTION 2:

The elective officers of the Association shall assume their duties during the General Membership Meeting held in conjunction with the AMERICAN RABBIT BREEDERS ASSOCIATION NATIONAL CONVENTION SHOW, at which time their installation will take place.

#### SECTION 3:

There shall be no more than two (2) officers from any state or Canadian Province. There shall be no more than one (1) officer from any single household.

#### SECTION 4:

Any adults in good standing who have been members for at least two (2) consecutive years, and seek to run for any elective office open that year, shall send a nomination bid to the Secretary of the Association to be received by the Secretary no later than July 1st of that year.

Candidates for Board of Directors shall be grouped by Districts. Association members will be permitted to vote only for the candidates within their districts. Within 10 days after the filing date, the Secretary shall advise the ACBA Journal Editor of the candidates and their bids, which will be published in the August ACBA Journal. The ballots shall be sent out within 10 days of the August Journal mailings, and at least 45 days prior to the AMERICAN RABBIT BREEDERS ASSOCIATION NATIONAL CONVENTION.

#### SECTION 5:

The Secretary shall cause a ballot to be sent to each member who is eligible to vote. The ballots will be sent out via first class mail, immediately following the publication of the ACBA Journal containing the bids for office. Each ballot shall have complete instructions for the guidance of the voter. No ballot shall be counted that has been changed, tampered with or improperly voted. The ballots shall show the date on which the polls will close and shall contain a return envelope addressed to the Chairman of the Election Committee.

#### SECTION 6:

Each member voting shall mark his ballot and mail it in the preaddressed return envelope to the Chairman of the Election Committee. The Election Committee shall count all ballots received prior to the closing of the polls.

#### SECTION 7:

Write-in votes will be accepted if the write-in candidate is clearly identified by name and position and is eligible. To be eligible, the candidate must be a member of the AMERICAN CAVY BREEDERS ASSOCIATION and a member in good standing. Board of Directors must reside in the District in which they are running for office.

#### SECTION 8:

The election results will be turned over to the Executive Board at the AMERICAN RABBIT BREEDERS ASSOCIATION NATIONAL CONVENTION. The election results will be announced during the ACBA General Meeting, being held in conjunction with the ARBA National Convention. The individuals receiving the highest number of votes will be declared elected and their names will be announced to the membership. All candidates will be notified of the election results either electronically or by first class mail within 7 days of the receipt of the results by the secretary. (Rev. 03/16)

#### SECTION 9:

All election results, candidates and ballot counts will be published in the next scheduled Journal and will be made available to the general membership at the general meeting.

#### SECTION 10:

In the event of a tie, an election to break the tie will be held within the district, within 60 days. The candidate then receiving the largest number of votes will be declared elected.

#### SECTION 11:

After the ballots are counted, they will be placed in a sealed envelope and forwarded to the Association Secretary, to be retained for one year. They will be opened only in the event that a demand for a recount is made.

#### SECTION 12:

Any candidate defeated for any office of the Association requesting a recount of ballots shall make application to the Secretary. The recount application must be made within thirty (30) days following notification of the election results. The application shall be accompanied by a fee of \$20. A recount shall then be made by a committee of three (3). The person contesting shall pick one, the Board of Directors will select the other two (2) members for the committee. All three members of the committee shall be members in good standing. The Committee shall assemble and personally count all ballots cast for the office in dispute, and the report of the Committee's recount shall be certified to the Board of Directors and shall be final. (Rev. 03/16)

#### SECTION 13:

Whenever a vacancy in an office occurs from any cause, said vacancy shall be filled by appointment by the President with approval by the Board of Directors. All Board of Director appointments shall be made from members in good standing and from the District where the vacancy occurred.

#### SECTION 14:

No member of the Election Committee can be nominated for office, or be holding a current office.

#### SECTION 15:

The Division of the Districts shall be the same as the AMERICAN RABBIT BREEDERS ASSOCIATION. If ARBA realigns the districts ACBA will follow:

District 1: Alaska, Idaho, Montana, Oregon, Washington, Wyoming, Northern Asia (Japan) and Western Canada (Saskatchewan, Alberta, British Columbia, Yukon Territory).

District 2: Arizona, California, Hawaii, Nevada, Utah, Southern Asia, Australia.

District 3: Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin.

District 4: Arkansas, Colorado, New Mexico, Oklahoma, Texas, Mexico, Central America.

District 5: Illinois, Kansas, Missouri.

District 6: Alabama, Florida, Georgia, Louisiana, Mississippi, Tennessee, Puerto Rico, South America.

District 7: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, Europe, Eastern Canada (Quebec, Newfoundland, Nova Scotia, Prince Edward, New Brunswick).

District 8: Indiana, Kentucky, Michigan, Ohio, Central Canada (Manitoba, Ontario).

District 9: Delaware, Maryland, New Jersey, North Carolina, Pennsylvania, South Carolina, District of Columbia, Virginia, West Virginia, Africa.

## **ARTICLE VII. (DUTIES OF OFFICERS)**

### **SECTION 1:**

The Board of Directors shall take charge of all affairs of this Association. They shall have full power to act on any and all matters for the good of the Association except those matters specifically reserved for the membership vote as designated by this Constitution. They shall at all times consider the advice of the membership in reaching their decisions.

### **SECTION 2:**

The Board of Directors shall determine the number, extent, type and expense of awards to be given at shows sanctioned by the ACBA.

### **SECTION 3:**

The Board of Directors shall appoint out of their number a person to the office of Vice President when it becomes vacant for any reason.

### **SECTION 4:**



If for any reason the number of District Directors should become less than nine (9), the President shall appoint another member in good standing who is from the District that has lost its Board Member. This appointee will be confirmed by approval of the remaining Board Members. (Rev. 2007)

#### SECTION 5:

Members appointed to offices that they were not elected to may complete the term of that assumed office. During that term, they may run for another office if they desire but may hold only one office at a time.

#### SECTION 6:

When elected or re-elected to the Board, members not holding life memberships shall submit to the Secretary-Treasurer two (2) years membership dues to cover the term of office and insure that they remain a member of the Association during their term of office.

#### SECTION 7:

The President shall preside at all meetings of this Association, and act as chairman of the Board of Directors. He shall appoint all committees and call special meetings of the Association or Board of Directors in accordance with the Constitution and Bylaws. He shall also perform other duties that usually pertain to this office. The President shall have other powers that can be conferred by the Board of Directors at any of their meetings. He shall be a member of the Board of Directors and an ex-officio member of all committees. The President shall have full voting privileges regarding all matters being voted upon by either the Board of Directors or the general membership whether such vote is taken at a meeting or conducted by mail ballot. The President shall be considered a voting member of the board of Directors. (Rev. 9/98) (Rev. 5/99)

#### SECTION 8:

The Vice President shall assume the duties of the President in cases when the president cannot serve. He shall be an ex-officio member of the Board of Directors, with voting privileges. The Board shall appoint one of their number to the office of Vice President when it becomes vacant for any reason.

#### SECTION 9:

The Secretary shall be appointed by President and confirmed by the Board of Directors. The Secretary shall be a member of the ACBA. He is not considered a member of the Board and has no vote as such. The Secretary shall devote sufficient time and attention to the duties of his office as to carry out requirements and duties directed by the President and Board of Directors. He shall collect and keep account all moneys due the Association. The Secretary shall maintain a complete and up to date membership list and have or make it

available by February 28 each year to members in good standing, said membership list being complete and accurate as of January 1 of the year of distribution. The secretary shall also distribute complete and up to date membership lists to the President, Vice President, Chairman Sweepstakes Committee (Sweepstakes Recorder); and the Treasurer and district membership lists to all District Directors on the 1st day of each calendar quarter. The secretary shall make quarterly reports of the activities of his office to the members of the board of directors and shall provide the officers and directors with such other official information as may be requested in a timely manner and an acceptable format. The secretary shall be responsible for answering all correspondence directed to the association or routing correspondence to the appropriate officer or committee chairman for response. Original and electronic copies of all correspondence answered or routed to an appropriate party shall be properly annotated and maintained by the Secretary, and available to the Board of Directors upon request. An accounting of such correspondence shall be forwarded to the President on the 1st of each month for information. The Office of the Secretary shall reside in the United States. (Rev. 2/09, 03/16)

#### SECTION 10:

A treasurer shall be appointed by the president and confirmed by the board of directors. The treasurer shall reside in the United States. He shall be considered an officer of the association and a non-voting member of the board of directors. The treasurer shall devote sufficient time to the discharge of his duties in this office so as to efficiently manage the financial affairs of the association which shall include but not be limited to the maintenance of all accounts, the assessment and collection of all fees specified by the board of directors and approve by the general membership, the preparation of quarterly financial reports to the board of directors and the general membership for publication in each issue of the Journal of the American Cavy Breeders Association (JACBA), and in his capacity as chairman, budget and finance committee, the preparation of an annual budget showing both forecast income and projected expenditures. The treasurer shall draw checks against the association's funds and present same to the president or his alternate for proper endorsement after he (the treasurer) endorses them and prior to their being present for the association's obligations. The treasurer shall pay bills authorized by the board of directors. The treasurer shall establish and maintain any electronic forms of payment. (Rev. 5/99, 03/16)

#### SECTION 11:

The Secretary shall keep a record of all proceedings of the Association. He shall keep all club records and documents for a minimum of seven (7) years. Documents may be held longer if the nature is such that it covers an extended period of time: Life memberships, official caviary registrations, etc.

#### SECTION 12:

The Secretary and Treasurer shall be bondable and required to be bonded at the Association's expense for the length of their tenure. A yearly audit will be conducted of the Association's finances. An audit of the association's accounts and financial records shall be conducted annually after July 1st and prior to the annual membership meeting held in conjunction with the American Rabbit Breeders Association convention and show or November 15th, whichever occurs first. This audit shall be conducted by a three (3) member audit committee, the chairman and members of which shall be members of the association in good standing and shall be appointed by the president and confirmed by the board of directors. (Rev. 5/99)

#### SECTION 13:

A quarterly financial statement and report from the Secretary shall be published in the ACBA Journal. (Rev. 5/99)

#### SECTION 14:

As compensation for their work, the secretary and the treasurer shall both receive an honorarium, the calculation of which shall be based upon ten percent (10%) of the membership dues collected on an annual basis for the year paid. Dues paid in advance shall be credited on a prorated basis in the year for which membership is credited. Honorariums shall be computed and paid on a quarterly basis by the treasurer and submitted to the board of directors for approval prior to disbursement. (Rev. 5/99)

#### SECTION 15:

Within thirty (30) days of leaving office, both the Secretary and Treasurer shall turn over all funds, records and properties of the Association to his successor. Failure to do so will require disciplinary action by the Board of Directors. Included in this action but not limited to, is revoking of his ACBA membership. (Rev. 5/99)

#### SECTION 16:

Nothing in this article shall preclude the same member from occupying both the secretary and treasurer offices and receiving the benefits ensuring to them. (Rev. 5/99)

### **ARTICLE VIII. (PUBLICATION)**

#### SECTION 1:

The ACBA shall publish a newsletter four (4) times annually and more if requested by the Board.

#### SECTION 2:

The name of the quarterly publication of the ACBA shall be known as THE JOURNAL OF THE AMERICAN CAVY BREEDERS ASSOCIATION (JACBA). (Rev. 5/99)

SECTION 3:

To promote its objective, the Association shall encourage submission of cavy related articles to other publications including but not limited to the official publication of the AMERICAN RABBIT BREEDERS ASSOCIATION.

**ARTICLE IX. (AMENDMENTS)**

SECTION 1:

The membership may amend or appeal this Constitution or portions of it.

SECTION 2:

A petition to amend must be signed by at least twenty-five (25) members in good standing. It must state the Article and Paragraph to be amended.

SECTION 3:

All amendments must be presented to the Secretary-Treasurer and to the Board of Directors. The membership will be presented all amendments in the next scheduled ACBA Journal. The Secretary shall cause a ballot for the proposed amendment to be sent following the August issue of the Journal and concurrent with the election ballot which is mailed to the membership prior to September 1 of each calendar year. (Rev. 9/98)

SECTION 4:

A two-thirds majority of the members voting shall be required to alter or change the Constitution.

SECTION 5:

An Amendment will become effective upon passage, or at such time as specified within the Amendment.

SECTION 6:

If the membership wishes to repeal this Constitution in its entirety, a complete replacement must be drafted and submitted with a petition signed by twenty-five (25) members in good standing. The Board will then be presented with the petition and draft. The draft will be printed in the next scheduled issue of the Journal. A ballot will then accompany it or follow for the membership's vote for acceptance or denial.

## **ARTICLE X. (PASSAGE OF THIS DOCUMENT)**

### SECTION 1:

Upon approval of the Constitution by the membership, in accordance with the current Constitution, this new Document of Constitution shall be effective January 1, 1993, and bear this date on all printing of this document.

### SECTION 2:

This Constitution shall invalidate and supersede all previously honored Constitutions of the AMERICAN CAVY BREEDERS ASSOCIATION.