

The Papillon Club of America, Inc.
(Incorporated in the State of Delaware, 2001)

Constitution and By-Laws

(As amended and approved by the American Kennel Club, May 20, 1960; November 22, 1968; September 8, 1971; August 24, 1973; February 11, 1974; September 25, 1978; February 19, 1982; October 27, 2003; March 15, 2010; March 4, 2014, and March 1, 2017.)

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Constitution

Article I

Section 1. The name of the Club (corporation) is The Papillon Club of America, Inc., hereafter referred to as the Club.

Section 2. The objects of the Club are:

- (a) To encourage the ownership, care and protection of purebred Papillons, hereafter referred to as the Breed.
- (b) To encourage the organization of independent local Papillon Specialty Clubs in those localities where there are sufficient fanciers of the Breed to meet the requirements of The American Kennel Club.
- (c) To encourage members and breeders to accept the standard of the Breed as approved by The American Kennel Club as the only standard of excellence by which Papillons should be judged.
- (d) To advance and protect the interests of the Breed, and to encourage sportsmanlike competition at all AKC sanctioned events.
- (e) To conduct sanctioned matches, specialty shows, obedience trials and all AKC events for which the club is eligible under the Rules and Regulations of The American Kennel Club.
- (f) To cooperate with other dog clubs, humane organizations and veterinary research organizations, and to offer prizes to be competed for by representatives of the Breed and their owners and exhibitors.
- (g) To demonstrate the preeminent qualities of the Breed as show dogs, in companion events, including but not limited to obedience, tracking and agility, as service dogs, and as companion animals.
- (h) To perform the acts which may from time to time appear necessary or convenient to further the interests of the Breed or the Club.

Section 3. The Club shall not be conducted or operated for profit, and no part of any profits or remainder or residue from dues or donations to the Club shall inure to the benefit of any member or individual.

Section 4. The members of the Club shall adopt and may from time to time amend the Constitution and Bylaws by procedures prescribed in the Bylaws.

By-Laws

ARTICLE I. MEMBERS

Section 1. Application for Membership.

- A. Applications for membership shall be submitted to the Corresponding Secretary on an approved Club form. Applications must have signatures of two sponsoring members in good standing, who are not related and do not cohabit with the applicant or each other. Sponsors must have been members in good standing for at least one year prior to the applicant's submission. The application must be accompanied by a check for the first year's dues and an initiation fee. No person may sponsor more than (2) two candidates for membership within a calendar year.
- B. The name and address of each applicant for membership shall be published for two consecutive months following receipt of the application, thus allowing Club members to comment in writing to the Corresponding Secretary. No sooner than (3) three weeks nor later than (5) five weeks following the second publication, the Corresponding Secretary shall prepare a ballot and send it to each member of the Board, together with copies of all comments received from members relevant to the applicants.

Section 2. Classes of Membership. There shall be three classes of membership:

- A. **Members** - Any person 18 years of age or older who is in good standing with the American Kennel Club is eligible for membership. Members shall be entitled to vote, hold elective or appointive office, and participate in all activities of the Club.
- B. **Junior Members** - Any person who is at least nine years of age and who is under 18 years of age, who is in good standing with the AKC, and who agrees to adhere to the Club's Code of Ethics, is eligible to be a Junior Member. Junior Members shall not be entitled to vote, hold elective or appointive office, or be counted in determining a quorum, but shall otherwise be entitled to participate in all other Club activities, including being eligible to be selected to serve on a committee. Upon reaching their 18th birthday a Junior Member may convert, without re-application, to such other membership class that the Junior Member may be eligible for at that time.
- C. **Honorary Life Members** - Any person who has rendered significant service to the Club and to the Breed, and has been a Member for twenty years is eligible to become an Honorary Life Member. Examples of this service include, but are not limited to, serving as an officer or member of the Board, working as the principal organizer of a major club event, serving as the editor of a club publication, and/or making a significant

contribution to the health and welfare of the breed. Honorary Life Members shall be entitled to vote and to hold elective office and shall be "members in good standing". Candidates for Honorary Life Membership may be nominated by any member. Such nominations shall be submitted in writing to the Corresponding Secretary. Upon receipt of such nomination, the Board of Directors shall investigate the qualifications of the nominee and ballot thereon, an affirmative vote of two-thirds of the full Board being required. No member may be made an Honorary Life Member without his written consent.

Section 3. Election of Members.

- A. Applicants may be elected at any meeting of the Board of Directors or by written vote of the Directors by mail or email. Affirmative votes of not less than two-thirds (2/3) of the Directors present at the meeting of the Board, or of not less than two-thirds (2/3) of the entire Board voting by mail or email, shall be required to elect an applicant.
 - 1. If the applicant is elected, the Corresponding Secretary shall promptly notify the successful applicant of his election and place his name upon the membership roll of the Club.
 - 2. If the applicant is not elected, the Corresponding Secretary shall promptly notify the unsuccessful applicant and forthwith return to the applicant the fee and dues accompanying the application.
- B. An application not elected by the Board may be presented by one of the applicant's sponsors at the next meeting of the Club, and the applicant may then be elected to membership by an affirmative vote of 75% of the members present and voting. Applicants not elected to membership by the Board may renew their application only after six months have passed from the time at which their application was voted on.
- C. Applicants for membership shall be required to pay an initiation fee. This initiation fee shall be in such amount as shall be determined by a majority vote at the annual meeting of the membership or by written ballot cast by mail. Recommendation and rationale for a change in the initiation fee shall be sent by the Board either in the Club newsletter or by mail at least one month prior to the annual meeting at which the change is to be voted on or in the mailing of the written ballot to the membership. Applicants for Junior membership shall not be required to pay an initiation fee.

Section 4. Dues

The Club's dues year begins on January 1st and ends on December 31st.

- A. Membership dues shall be in such amount per year as shall be determined by a majority

vote at the annual meeting of the membership or by written ballot cast by mail, but shall not exceed \$75.00 per year. Recommendations and rationale for changes in the annual amount of the dues shall be sent by the Board either in the Club newsletter or by mail at least one month prior to the annual meeting at which the change is to be voted on, or in the mailing of the written ballot to the membership. Junior members shall be required to pay annual dues not in excess of the initiation fee.

- B. During the month of November, the Treasurer shall send a notice to all members stating that annual dues are due on January first. As an alternate procedure, the notice may be published in the Club newsletter published during the months of November and December. All Club memberships are individual memberships.
- C. New members notified after October 1st of their election to membership shall not be required to pay dues for the dues year to follow, but thereafter will pay the required annual dues.

Section 5. Termination of Membership.

- A. **By resignation.** Any member in good standing may resign from the Club upon written notice to the Recording Secretary, but no member may resign when in debt to the Club. Dues obligations are a debt to the Club and are incurred on the first day of the dues year.
- B. **By lapsing.** A membership is lapsed and automatically terminated if such member's dues remain unpaid by February 15th of each year. In no case may a person be entitled to vote at any Club meeting if their dues are unpaid as of the date of that meeting.
- C. **By expulsion.** A membership may be terminated by expulsion as provided in Article VIII of these By-Laws.

Section 6. Reinstatement.

Former members who have allowed their membership to lapse for a duration of less than one year may be reinstated upon payment of the annual membership dues plus a reinstatement fee equal to one-hundred percent of the annual membership dues. A member who is reinstated in this fashion shall not be credited with any wins or points toward Club awards during the period that such member was not in good standing. If a former member allows his membership to lapse for one year or more, he may rejoin in the same manner as a new member except that he need not have any sponsors.

ARTICLE II. OFFICERS

Section 1. Officers

The Club's officers shall serve in their respective capacities both with respect to the Club and its meetings and the Board of Directors and its meetings.

Section 2. Duties.

- A. **The President** shall preside at all meetings of the Club and of the Board of Directors and shall have the duties and powers normally appurtenant to the office of President in addition to those particularly specified in these By-Laws.
- B. **The Vice President** shall have the duties and exercise the powers of the President in case of the President's absence, death or incapacity. In the absence of both the President and Vice-President at any meeting, the Recording Secretary, or in the Recording Secretary's absence a Board member, shall call the meeting to order and immediately take nominations for the assembly to elect a Chairman Pro Tem to preside for that meeting only.
- C. **The Treasurer** shall collect and receive all monies due or belonging to the Club. He shall deposit the same in a bank satisfactory to the Board and in the name of the Club. His books shall at all times be open to inspection by any member of the Board. He shall report to the Board and to the membership at every meeting the condition of the Club's finances and shall summarize receipts and payments not previously reported. The Club's books will be kept in hard copy, and shall be reviewed at least once each year.
- D. **The Corresponding Secretary** shall notify new members of their election and shall have charge of all general correspondence not otherwise assigned in these By-Laws. The Board in its sole discretion may assign correspondence to either the Corresponding Secretary or the Recording Secretary. The Corresponding Secretary shall carry out such other duties as may be assigned by the Board or prescribed in these By-Laws.
- E. **The Recording Secretary** shall keep a record of all meetings of the Club and the Board, of all votes taken by mail or by telephone, and of all matters of which a record shall be ordered by the Club or by the Board. The Club shall retain these minutes as required by law. These approved minutes, except for Executive Sessions, are to be posted on the Club's website as well as in the Club's newsletter. The Recording Secretary shall keep a membership roll of the members of the Club with their address.

Section 3. Assistants.

The Treasurer, Corresponding Secretary or Recording Secretary may nominate any member as an Assistant, subject to approval by the Board of Directors. When approved,

the officer may delegate such duties to the Assistant as he deems necessary, but the officer shall always be responsible to the Board of Directors for the performance of the duties of his office. Any Assistant shall report directly to the assisted officer.

Section 4. Nomination and Election.

- A. Election of Officers, Directors, and Delegate to the American Kennel Club, Amendments to the Club Constitution and these By-Laws, and Amendments to the Standard of the Breed shall be decided by written secret ballot by mail.
- B. No person may be a candidate in a Club election who has not been nominated in accordance with these By-Laws. The Board of Directors shall choose a Nominating Committee. The committee should be selected no later than July 15th of the year immediately preceding the end of the term of office of the Board of Directors. The committee consists of three members from different areas of the United States of America and two alternates, all members in good standing, not more than one of whom may be a member of the current Board of Directors. The Board shall name a chairman for the committee. The nominating Committee may conduct its business by mail, teleconference or email. Nominations from the floor for Officers and Directors shall not be taken at any meeting of the Club.
- C. The committee shall nominate from among the eligible members of the Club not more than one candidate for each office and for each other position on the Board of Directors and a candidate for Delegate to The American Kennel Club. The chair of the committee shall procure the written acceptance of each nominee. Geographical representation shall be considered by the committee, but it shall not be bound by such consideration. The committee shall submit its slate of candidates to the Recording Secretary by September 1st of the year preceding the election. The Recording Secretary shall announce the committee's slate of candidates no later than October 15th of the year preceding the election. The date of the elections shall be February 1st of the year of the election.
- D. Additional nominations of eligible members may be made by written petition signed by five members and accompanied by the written acceptance of each such additional nominee signifying his willingness to be a candidate, the petition to be addressed to the Recording Secretary and received at his regular address on or before November 15th of the year preceding the election. The Recording Secretary will provide all candidates with a current membership list including names and last known addresses upon said candidate's request.

- E. If no valid additional nominations are received by the Recording Secretary on or before November 15th of the year preceding the election, the committee's nominees shall be declared elected and no balloting for the positions shall be required.
- F. If one or more valid additional nominations are received by the Recording Secretary within the time limit described above, he shall, on or before January 1st of the year of the election, mail to each member in good standing at the time of such mailing a ballot listing all the nominees for such positions as are contested. The names of the candidates shall appear in alphabetical order, and the names shall be followed by their current address on the roll of members. The ballots shall not contain any biographies or campaign materials.

Section 5. Ballots.

- A. Ballots shall be accompanied by a blank envelope and a return envelope addressed to the person or agency selected by the Board of Directors to receive and count the ballots. To maintain secrecy of the ballot, each voter, after marking his ballot, shall seal it in the blank envelope, which shall in turn be placed in the preaddressed return envelope. After sealing, each voter will sign his name on the back of the return envelope for validation.
- B. The Board shall contract with an independent agency to receive, count the ballots, and prepare a complete teller's report as prescribed in the Club's Parliamentary Authority. February 1st of the election year will be the date of the ballot count. All completed ballots must be received by the independent agency on or before February 1st of the election year to be included in the count. Any ballots received after that date will not be counted.
- C. The Recording Secretary shall furnish to the selected agent or agency a list of all members in good standing and eligible to vote together with his certification that the list is true, correct, and complete to the best of their knowledge and belief.
- D. The fact that a club member also is a member of the agency hired to count the ballots does not affect his privilege to vote, except, that the club member shall not participate in any capacity with the counting of the ballots. No person who is a candidate for a contested position, nor any member of his immediate family, may be selected to receive and count the ballots.
- E. The selected agent or agency shall check all returns against the certified list of members in good standing and eligible to vote prior to opening the outer envelopes and removing the blank envelopes containing the ballots. After opening the blank envelopes, the votes

shall be counted. Votes for persons not nominated in accordance with the procedures detailed in these By-Laws, shall not be counted. The selected agent or agency shall certify the eligibility of the voters according to the certified list supplied by the Recording Secretary, as well as the results of the voting.

Section 6. Election.

- A. The person receiving the greatest number of votes for an office shall be declared elected. The four persons receiving the greatest number of votes for the position of Director shall be declared elected.
- B. In case of a tie vote, the vote of the Board of Directors shall determine the winner. If the outgoing Board has not voted within a month of the election, the incoming Board shall determine the winner.

ARTICLE III. MEETINGS

Section 1. Annual Meeting.

The Annual Meeting of the Club shall, whenever possible, be held in conjunction with the Club's National Specialty show. Otherwise, the date for the meeting shall be set by the Board. Nominations for election to the Board shall not be accepted at the Annual Meeting. Election of Officers and Directors is held apart from the Annual Meeting, by mail, as detailed in Article II of these By-Laws. At the Annual Meeting or at a Special Meeting, voting shall be limited to those members in good standing and eligible to vote who are present at the meeting. Proxy voting shall not be allowed at any meeting of the Club or of the Board.

Section 2. Notice and Quorum.

Notice of the Annual Meeting shall be sent to each member by the Recording Secretary no later than one month prior to the date of the meeting. Alternately, the notice may be contained in the Club's newsletter if sent at least one month prior to the meeting. The quorum for the Annual Meeting is 10% of the members in good standing and eligible to vote.

Section 3. Special Meetings.

Special Meetings of the Club may be called by the President or by a majority vote of the Board who are present at a Board Meeting, or shall be called by the Recording Secretary upon receipt of a petition signed by 5% of the members of the Club who are in good standing and eligible to vote. Such meeting shall be held at such place, date and hour as may be set by the Board. In case the Board fails to set such time within one month after receipt of a valid petition, the place, date and hour shall be set by the Recording Secretary. Notice of such meeting shall be sent by the Recording Secretary at least 14 days and not more than 30 days

prior to the meeting. The notice of the meeting shall state the purpose thereof and no other business shall be transacted thereat. The quorum for such meeting is 10% of the members in good standing and eligible to vote.

Section 4. Order of Business

At meetings of the Club, the order of business so far as the character and nature of the meeting may permit shall be as follows:

- Roll Call
- Reading of Minutes of last meeting
- Reports of Officers
- Reports of Committees
- Election of new members (appeals from the Board of Directors)
- Unfinished business
- New business
- Adjournment

ARTICLE IV. OFFICERS AND DIRECTORS

Section 1. The Board.

The Board of Directors shall be responsible for general management of the Club's affairs. The Board constitutes the Executive Officers (the President, the Vice-President, the Treasurer, the Corresponding Secretary, and the Recording Secretary) and four Directors. All members of the Board shall be members in good standing who are citizens of the United States of America and are permanently residing in the United States of America. Officers and Directors shall be elected for two-year terms and shall serve until their successors are elected, with no rotation or progression in the offices. The terms of all officers and directors begin on the first day of March and end on the last day of the second following February.

Section 2. Vacancies.

Any vacancies occurring on the Board during the two-year term shall be filled until the next election by a majority vote of the remaining members of the Board, except that a vacancy in the office of President shall be automatically filled by the Vice-President and the resulting vacancy in the office of Vice-President shall be filled by the Board.

Section 3. Order of Business.

At meeting of the Board of Directors, the order of business, unless otherwise directed by majority vote of those present, shall be as follows:

- Reading of minutes of last meeting

Reports of Officers
Reports of Committees
Unfinished business
Election of new members
New business
Adjournment

Section 4. Board Meetings.

The Board of Directors shall meet within two days before and again within two days after the Annual Meeting. Other meetings of the Board shall be held at such times and places as are designated by the President or by the affirmative vote of five members of the Board. Notice of each such other meeting shall be sent by the Recording Secretary to each member of the Board at least 7 days prior to the date of the meeting. The quorum for a meeting of the Board is five.

Section 5. Format of Meetings

- A. The Board of Directors may conduct its business by mail, telephone, facsimile, or email through the Recording Secretary.
- B. The Board may conduct business by utilization of a conference telephone call in which at least six members of the Board participate at all times. An affirmative vote of two-thirds of the members' present is required to pass any motion in this type of meeting. If only six board members are present, then five affirmative votes are required to pass any motion. Immediately following the conference, the Recording Secretary shall prepare written minutes of any action taken, and mail a copy to each member of the Board.
- C. The Board of Directors may decide to submit other specific questions for decision of the members by written secret ballot by mail.

Section 6. Club Newsletter

The Board shall have supervision and control of the Club newsletter now called PapTalk and shall determine the manner and form in which it shall be published.

ARTICLE V. DELEGATE TO AMERICAN KENNEL CLUB

The Delegate to the American Kennel Club shall be elected to a two-year term and serve as the official delegate of the Club to the American Kennel Club. There shall be no limitation on the number of successive two-year terms the delegate may serve. The delegate may attend and participate in Board meetings, but he shall not be an Officer or voting Board member. He shall attend Delegate's Meetings of the American Kennel Club and report on those meetings. He shall

act as a liaison between the Board and the American Kennel Club, and assume all duties normally appurtenant to this position. He shall not serve as Delegate until duly approved by the American Kennel Club, and shall continue to serve until his successor is duly approved by the American Kennel Club.

ARTICLE VI. COMMITTEES

Section 1. Appointment.

The Board of Directors may each year appoint standing committees to advance the work of the Club in such matters as dog shows, obedience trials, trophies, annual prizes, membership and other fields which may well be served by committees. Special committees may also be appointed by the Board to aid it in particular projects. All committees are always subject to the final authority of the Board of Directors.

Section 2. Termination.

Any committee appointment may be terminated by the affirmative vote of a simple majority of the entire Board of Directors.

ARTICLE VII. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised (RONR) shall govern the Club in all cases to which they are applicable and in which they are not inconsistent with the Constitution, these Bylaws, and any special rules of order the Club may adopt.

ARTICLE VIII. DISCIPLINE

Section 1. American Kennel Club Suspension.

Any member who is suspended from any privileges of the American Kennel Club is automatically suspended from the privileges of this Club for a like period.

Section 2. Charges.

Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club or the Breed. Written charges with the specifications must be filed in duplicate with the Recording Secretary together with a deposit. This amount of this deposit shall be determined by a majority vote at the annual meeting of the membership or by written ballot cast by mail. Recommendations and rationale for changes in the amount of the deposit shall be sent by the Board either in the Club newsletter or by mail at least one month prior to the annual meeting at which the change is to be voted on, or in the mailing of the written ballot to the membership. This deposit shall be forfeited if such charges are not sustained by the Board or by a Charge of Investigation Committee appointed by the Board

following a hearing. The Recording Secretary shall promptly send a copy of the charges to each member of the Board or present them at a meeting of the Board. The Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the Club or the Breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the Club or of the Breed, it may refuse to entertain jurisdiction. If the Board of Directors entertains jurisdiction of the charges, it shall fix a date of a hearing to be held by the Board or by a Charge Investigation Committee appointed by the Board, the hearing to be held not less than three weeks nor more than six weeks thereafter. The Recording Secretary shall promptly send one copy of the charges to the accused member by certified mail together with a notice of the hearing and an assurance that the accused may personally appear in his own defense and bring witnesses if he wishes.

Section 3. Board or Committee Hearing.

The Board or Charge Investigation Committee shall have complete authority to decide whether counsel may attend the hearing, but both complainant and accused shall be treated uniformly in that regard. Should the charges be sustained after hearing all the evidence and testimony presented by the complainant and the accused, the Board or Charge Investigation Committee may, by a majority vote of those present, suspend the accused from all privileges of the Club for not more than six months from the date of the hearing, or until the next Annual Meeting if that will occur after six months, or may censure the member. If the punishment of suspension is deemed insufficient by the Board of Directors, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the accused's right to appear before his fellow members at the ensuing Club meeting which considers the recommendation of the Board. Immediately after the Board or Charge Investigation Committee has reached a decision, its findings shall be put in written form and filed with the Recording Secretary. The Recording Secretary, in turn, shall notify each of the parties and each member of the Board of Directors of the decision and penalty, if any.

Section 4. Expulsion.

Expulsion of a member from the Club may be accomplished only at the Annual Meeting of the Club following a hearing and upon the recommendation of the Board of Directors as provided in Section 3 of this Article. The suspended member shall have the privilege of appearing in his own behalf, but no evidence shall be taken at this meeting. The President shall read the charges and the findings and recommendations and shall invite the suspended

member, if present, to speak in his own behalf. The meeting shall then vote by secret written ballot on the proposed expulsion. A two-thirds vote of those present and voting at the Annual Meeting shall be necessary for expulsion. If expulsion is not so voted, the suspension shall stand. Any members convicted in a court of law of animal cruelty and/or who have violated AKC rules which resulted in the permanent loss of their AKC privileges shall be expelled and permanently lose the right to membership in the PCA.

ARTICLE IX. DISSOLUTION

The Club may be dissolved at any time by the written consent of not less than two-thirds of the members. In the event of the dissolution of the Club, other than for purposes of reorganization, whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of the Club, but after payment of the debts of the Club its property and assets shall be given to a charitable organization for the benefit of dogs. Such organization shall be selected by the Board of Directors.

ARTICLE X. AMENDMENTS

Section 1. Proposals.

Amendments to the Constitution, these By-Laws, and to the Standard for the Breed may be proposed by the Board or by written petition addressed to the Recording Secretary signed by 20% of the membership that is in good standing and eligible to vote. Amendments proposed by such petition shall be promptly considered by the Board for their recommendation and shall be submitted to the members in good standing and eligible to vote with recommendations of the Board by the Recording Secretary for a vote within three months of the date when the petition was received by the Recording Secretary.

Section 2. Voting on Amendments.

The Constitution, these By-Laws, or the Standard for the Breed may be amended at any time provided a copy of the proposed amendment has been mailed by the Recording Secretary to each member in good standing and eligible to vote on the date of the mailing, accompanied by a ballot on which the member in good standing and eligible to vote may indicate his choice for or against the action to be taken. Voting will be in the same fashion as specified for the election of Officers and Directors. The notice shall specify a date not less than 30 days after the date of the mailing by which date the ballots must be returned to the independent agent or agency selected by the Board to receive and count the ballots. The affirmative vote of two-thirds (2/3) of members in good standing and eligible to vote who return valid ballots within the time limit shall be required to adopt any such amendment of

the By-laws and the Breed Standard, except, that it shall require a three-fourths (3/4) vote in the affirmative to adopt any such amendment of the Constitution.

Section 3. American Kennel Club Approval.

No amendment to the Constitution, these By-Laws, or to the Standard for the Breed that is adopted by the Club shall become effective until it has been approved by the Board of Directors of the American Kennel Club.