



Southeastern Massachusetts Community Concert Band

Organized 29 March 1976

January 30 1995

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Article I Name

This organization will be known as the Southeastern Massachusetts Community Concert Band.

Article II Purpose

The purpose of the band is to promote interest in and provide concert band music and continuing musical education for the community. It will be a nonprofit, community service organization.

Article III Membership

Membership in the Band will be composed of persons who have a serious interest in music and will attend rehearsals with reasonable regularity. Additionally, a band member can be an individual who has an interest in furthering the purposes of the Band.

Band members are encouraged to support fund raising actions by contributing talent at concert performances, concert ticket sales, and other similar activities. At minimum, each member must contribute in some way towards fund raising.

The Band will not restrict membership based upon music ability nor will it conduct auditions of prospective members.

At the conductor's discretion, the Band may use substitute musicians at concert performances. However, no band member or supplemental musician will be paid for a concert performance. The use of a substitute musician is restricted to supplementing (not replacing) a regular band member's position.

Article IV Directors & Officers

Section 1. The Board of Directors will consist of five (5) to seven (7) Directors who will be elected from the members of the Band. Availability of sufficient number of interested band members will determine the number of Directors.

Section 2. Officers will consist of a Conductor, Manager, Secretary, and Treasurer. The Board of Directors, at its discretion, may choose not to fill the Manager's position. Any band member including Board of Directors members may be appointed.

The Board of Directors will determine the Conductor's salary. The Conductor is the only position for which a salary will be established.

Section 3 Each Director will be elected at a duly constituted Annual Meeting of the Band. Directors will be elected for a two (2) year term of office.

Section 4 Any Board member or Officer may resign in writing.

Section 5 Any Director may be removed for cause by a majority vote of the Band with thirty (30) days notice and opportunity to address the Band. Furthermore, the Board may replace any Director for failure actively to participate in managing the band's activities.



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Remaining Directors shall fill vacancies in its own membership between Annual Meetings by a majority vote of the Board.

Article V Responsibilities of the Board of Directors & Officers

Section 1 The Board of Directors will be the governing body of the Band and will decide all matters of policy.

These activities include and are not limited to :

- Obtain such professional services as necessary, including the conductor.
- Establish in cooperation with the Conductor the musical plan for the Band.
- Decide all questions and management issues not otherwise provided for in the By-Laws.

Section 2 The Board of Directors will select from among themselves a chairperson who will preside at their meetings. When the chairperson is absent, the Board of Directors will select from among themselves a chairperson pro tem.

Section 3 The Board will determine the Conductor's salary.

Section 4. The Board of Directors will select the Officers from among the members of the Band, to be reviewed and reappointed annually within thirty (30) days after the election. Any member of the band seeking appointment as an Officer may apply to the Board.

Section 5 The Officers will attend all meetings of the Board in a non-voting capacity.

Section 6. The Secretary will keep the minutes of the Annual Meeting, Board of Directors meetings. The Secretary will retain such files and handle such correspondence as the Board may authorize, and will prepare any required documents under Federal and State laws.

Section 7 The Treasurer will receive and disburse the funds of the Band for such purposes as the Board may authorize, keep accounts and render financial reports to the Board of Directors. Signature authority to the funds of the Band will be assigned to the Treasurer and one other Band member. Each signature will have full authority to enter transactions against the funds of the Band. However, the alternate signature authority will enter financial transactions only upon the inability of the Treasurer to do so.

Section 8 Officers will carry out the policies and decisions of the Board of Directors.

Article VI Meetings

Section 1 The fiscal year will begin on the first day of January and end the last day of December.

Section 2. The band will hold weekly rehearsals throughout the year. Exceptions will be allowed at the discretion of the Conductor with Board approval.

Section 3 The Board of Directors will meet on a regular basis and will be open to all band members.

Section 4 The Annual Meeting of the Band shall be held in the spring for the purpose of the electing Board



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of Directors, receiving Committee reports, and for any other business that may arise. Date to be set by the Board of Directors.

Section 5 Meeting of the Board of Directors may be called by the chairperson at any time.

Section 6. Quorums for meetings shall be as follows: for the Board of Directors, three (3) members; and for the Annual Meeting, no less than fifteen (15) band members.

Section 7 If there are an even number of Directors present at any meeting, the chairperson or temporary chairperson shall break the tie.

Article VII Committees

Section 1 The Board of Directors shall establish such committees as they deem necessary, and define the scope of their responsibilities.

Section 2 Chairpersons of Committees shall appoint their own committee members.

Section 3. Chairpersons of Committees shall report to the Manager or other person so designated by the Board of Directors.

Section 4 The Nominating Committee shall consist of three (3) members all of whom shall be members of the Band, excluding members of the Board. The Nominating Committee shall ask for nominations at a regularly scheduled rehearsal not later than one (1) month prior to elections. Band members, by a majority vote, elect Board Members at the meeting date set for elections by the Board.

Article VIII Disposition of Funds

No part of the property of the Band shall be used for purposes other than those specified in ARTICLE II of these By-Laws. No part of the net earnings of the Band shall inure or be payable to or for the benefit of any private individual, and no substantial part of the activities of the Band shall be the carrying on of propaganda, or otherwise attempting to influence legislation, or the participation in, or intervention in (including the publishing or distributing of statements) any candidate for public office.

Article IX Financial Management

Section 1 At the first meeting of the fiscal year the Board of Directors will act on the annual operating plan. They will also pass the resolutions necessary to provide the servicing bands with the required certificates of Officers and signature cards.

Section 2 The Treasurer will assist the Secretary in the preparing and submitting required reports to the Internal Revenue Service.

Section 3 All expenditures must be approved by the Board of Directors. Committee chairpersons shall have the responsibility for maintaining complete and accurate financial transactions of all



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approved activities. Such transactions shall be made available to the Treasurer on a timely and scheduled basis.

Article X Records Control

All records, files, correspondence etc., shall be delivered to the Secretary when they are no longer of current value and in all cases when they are more than two years old. Incumbents in office shall provide their successor will all records in their possession.

Article XI Dissolution of the Band


In case of termination of the Band, all of its assets as then constituted will be held by the Treasurer or other designated Board of Director member or a well established community based service organization willing and capable of acting as trustee. The assets shall be distributed in whole only to a community-based band organization operating in the same approximate geographic area and entitled to exemption from Federal Income tax under section 501 (c) (3) of the Internal Revenue Code as now in force or from now on amended. The trustee of such assets may receive an administrative fee not to exceed 5% of any given fiscal years interest income derived from the Band assets until an eligible organization is found to which the assets may be distributed.

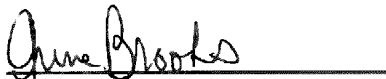
Article XII Amendments

These By-Laws may be amended at any meeting of the Board of Directors, provided that the proposed amendment has been communicated to all Band members attending rehearsal or by mail at least ten (10) days in advance of the meeting; and provided further that no amendment shall authorize the Board of Directors to conduct the affairs of the Band in any manner or for any purpose contrary to the provision of section 501 (c) (3) of the Internal Revenue Code as now in force or hereafter amended. An amendment of the ARTICLE XII or any amendment thereof shall be valid only if and to the extent that such amendment further restricts the amending power of the Band.

Amendments to Article III - Membership. Any amendment to qualification for band membership shall be valid only to the extent that such amendment does not further restrict eligibility for band membership based solely upon musical ability. Furthermore, such amendment cannot mandate audition as a qualification for membership.

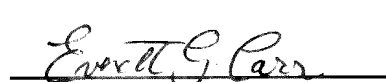
A copy of these by-laws dated 24 November 1994 were distributed to band membership on 16 January 1995 and formally adopted by the Board of Directors on 30 January 1995. Other than the date and minor corrections, no substantive differences occur within the body of the by-laws dated 24 November 1994 and 30 January 1995. These by-laws revise and replace those drafted but not completed at the formation of the band in 1976-1977.

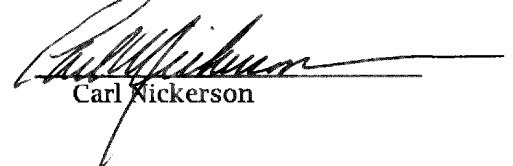

Lorraine Ball


Anne Brooks


Norman Hochella


Lirida Barcelo


Everett Carr


Carl Nickerson