

# **Long Island Nepalese Society New York (LINSNY)**

## **BYLAWS-2010**

With 2nd Amendment,2024

### **BYLAWS COMMITTEE,2024-2026:**

- 1) Tika Raj Dhakal/ Advisor LINS**
- 2) Bishwaraj Bastola/Advisor LINS**
- 3) Dr. Hari Dahal/ Advisor LINS**
- 4) KALPANA THAPA/ Asvisor LINS**

### **Approval By:**

The \_\_\_\_\_ Meeting of Long Island Nepalese Society New York

on the \_\_\_ day of \_\_\_\_\_

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### **ARTICLE I :NAME**

**NAME:** The name of this organization will be Long Island Nepalese Society New York (hereinafter called "the Society" or "LINSNY"). It will be a non-profit organization.

### **ARTICLE:II MISSION STATEMENT**

1. To preserve and promote Nepalese culture and values
2. To advocate for human rights, freedom, and peace.
3. To serve fellow human beings.

### **ARTICLE:III PURPOSE**

**PURPOSE:** The purpose of the society:

1. To promote close cooperation among Nepalese and friends of Nepal in North America, particularly Long Island New York.
2. To preserve and promote Nepalese identity and cultural heritage.
3. To act as a link between Nepalese living in Long Island New York and Nepal for academic, professional, and cultural advancements.
4. To contribute to the overall well-being of Nepalese communities in Long Island New York.
5. To promote educational, social and charitable activities.

### **ARTICLE:IV EXECUTIVE COMMITTEE**

1. There will be an Executive Committee to execute the stated objectives of the Society.
2. The Executive Committee shall be elected by members of the society.

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3. The committee will have the authority to form and disband committees, subcommittees, task forces, or similar entities as may be deemed necessary and shall determine the functions and terms of their existence.
  
4. The Officers of the committee shall consist of the following:
  1. President (1)
  2. Senior Vice President (1)
  3. **Vice President (1): Nassau County**
  4. **Vice President (1): Suffolk Count**
  5. **Women Vice President (1)**
  6. General Secretary (1)
  7. Secretary (1)
  8. **Women Secretary (1)**
  9. Treasurer (1)
  10. **Women Co-Treasurer (1)**
  11. Board of Directors (9)
  12. **Women Board of Directors (4)**
  
5. Sub-committee (Education, Sports/Youth, Women, IT) will be formed under the main core team.
6. The election of the Board shall be conducted as stated in these by-law
7. No person will be eligible to hold office unless he or she:
  1. **Is a member of the society in good standing**
  2. Has attained the age of 18 years
  3. **In case of President, in addition to the above requirements, he/she shall have served as an Executive Board Member for at least one term (2 years)**
  4. The member has to be residing in Long Island New York (Nassau or Suffolk County)
8. **The term of the Executive committee shall be of two years only**
9. **President can serve a maximum of two terms only, and will lead the following initiatives for the society**
  1. Recruit new members, run membership drives, and pursue fund raising activities

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2. Coordinate with individual members, committees and task forces within the society and with any other Nepalese **American**
  3. **Collaborate with** organizations in North America for furthering the purposes of the society as outlined in Article II above
  4. **Submit at least one annual report to the General Assembly** regarding society's activities and projects completed, problems encountered and plans for the future
- 10.** In the event of the death or resignation of a duly elected Officer, the committee shall **nominate** a society member able and willing to fill the office so vacated until the next election of the Officers.
- 11.** **PRESIDENT:** The duties and powers of the President are as follows:
1. Preside at the meetings of the committee and run day-to-day operation and management of the society;
  2. Provide overall leadership to the society;
  3. Serve as **the lead** of the society on policy matters or designate another officer to serve in that capacity;
  4. Perform such other duties of the society as the committee may delegate to the President;
  5. Perform or supervise that all regulatory requirements (such as filing IRS tax returns, etc.) have been met on a timely fashion and that any financial donations, disbursements or expenditures of funds by the society inside or outside the United States have satisfied all applicable federal and state requirements.
  6. The President shall have the authority to spend up to **\$500.00** (Five Hundred Dollars) without a prior approval of the committee. The President shall communicate in writing (e.g., email) with the board members prior to spending the amount, explaining the purpose of the expense. All expenses over **\$500.00** shall require the prior approval of the board and the signatures of both President and Treasurer.
- 12.** **Senior VICE PRESIDENT:** The Senior Vice President shall perform the duties of President in the absence or the resignation of the President until the next election. Senior Vice President will help the Treasurers to file the yearly taxes and keep the 501C3 status current.
- 13.** **VICE PRESIDENTS:** The Executive Vice President shall perform the duties of President or Senior Vice President in the absence or

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the resignation of the President or Senior Vice President until the next election.

- 14. GENERAL SECRETARY:** The General Secretary shall record all the proceedings of the meetings of the committee. He or she shall distribute minutes of the meetings to the appropriate members within **one week** after the date of the meeting. He or she shall have custody of and maintain all permanent records of the society other than financials. All records of the society shall be available for inspection at any time and these shall be turned over to the new General Secretary within **one week following the oath of new committee.**
- 15. SECRETARY:** The Secretary shall perform the duties of General Secretary in the absence or the resignation of the General Secretary. She/he shall assist the General Secretary in other society matters as requested by the General Secretary.
- 16. TREASURER:** The Treasurer shall be the custodian of all funds of the society, shall maintain bank accounts, receipts and disbursement of funds upon authorization by the Board and shall give complete and timely reports to the Board. The Treasurer shall prepare a financial statement for each Board meeting and a sufficiently detailed financial statement for the preparation of any annual reports or returns required by the Internal Revenue Service or any other governmental authorities. The Treasurer's reports shall be promptly posted on the society's website. The funds, books, and other financial records of the society shall be available for inspection at any time and these shall be turned over to the new Treasurer within 30 days following the **oath of new committee.**
- 17. Advisory:** The executive committee can appoint advisories not more than **11** persons, one legal advisor, and **one finance/tax advisor** to advise the committee.
- 18.** Immediate past president will automatically be appointed to the advisory board to bring in the recent expertise to the society. The executive committee will appoint one patronage to get the help of the best expertise from the community.
- 19. Spokesperson:** The president will appoint a spokesperson who will attend executive committee meetings as a non-voting member. The Spokesperson will help the committee disseminate its decisions to the society members.

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20. **Coordinators:** The executive board will appoint an education coordinator, a women coordinator, a sports/youth coordinator and an IT coordinator. The coordinators will maximize the participation of society members in their respective committees.
21. All executive officers shall regularly attend the committee meetings and shall take on specific tasks as assigned by the committee.
22. Once elected, an Officer of the Board shall serve for a full term except in the event of the person's death, resignation, removal, **moving outside of Long Island** or loss of membership of the society.
23. **Resignation, Termination, and Absences:** Resignation from the board must be in writing and received by the President. An officer shall be terminated from the board due to excess absences, more than two unexcused absences from board meetings in a year.
24. Notwithstanding any other provision of the Bylaws, not more than two persons serving on the committee may be an interested person. For purposes of this section, an "interested person" means either:
  1. Any brother, **brother-in-law**, sister, **sister-in-law**, father, **father-in-law**, mother, **mother-in-law**, son, **son-in-law**, daughter, **daughter-in-law** or spouse of the Board of directors; or
  2. Any members serving on other committees or maintaining business interests that could constitute a conflict of interest.
25. The committee members shall not be personally liable for the debts, liabilities or other obligations of the corporation absent criminal violations.
26. No officer may serve in any capacity or vote on any issue unless membership is current.
27. **Compensation of members:** The members of the committee shall serve without compensation.

## **ARTICLE:V MEMBERSHIP**

1. **Eligibility for Membership:** Membership in the Association shall be open to any person who supports the objectives of the society as stated in the bylaws.

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2. A member shall be any person who has attained to the age of eighteen (18) years who is not in default of dues and fees or under suspension, **who is living in either Nassau or Suffolk county** and is entitled to all the rights and privileges of membership.
3. Membership Categories:
  1. Life membership
  2. General membership
  3. Individual membership
  4. **Family (wife, husband, and children between 18 & 21 years of age).** Membership of a family of more than two people will be discounted by 25%.
  5. Life;
  6. Honorary (The Honorary memberships shall be awarded by the Board to those who have made substantial contributions to the benefit of the society and the communities at large).
4. A member may be suspended or expelled from membership for disorderly conduct in an society event, malfeasance in office, conviction in a court of law for felony, misdemeanor, and other acts inimical to the image of the society, but such power to suspend or expel shall be vested in the committee, which shall hear all the allegations about the alleged errant member.
5. A member subject to suspension or expulsion may present his case before the committee, may not be represented by counsel, and has the right to confront his accusers.
6. The decision of the committee can be appealable to full membership body

## **ARTICLE:VI**

### **MEMBERSHIP DUES AND FEES**

1. The society shall have membership fee.
  1. Membership fees for each category shall be determined by the committee. Renewal of the membership **is due once every two years.**
  2. No renewal of membership shall be required for life and honorary members.

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- 3.** Attendance at the annual convention requires payment of the full registration fees.

## **ARTICLE:VII** **MEETINGS**

1. The committee shall hold at least one General Body meeting every year of all its members at an appropriate time, preferably during the annual convention, to transact the society business such as, review the activities for the past year, receive and adopt amendments, if any, to the bylaws, consider any policy changes or new policies and transact any other business included in the agenda or allowed by the presiding officer at his or her discretion. The General Body meeting shall be public but only the members (dues paying) shall have right to vote, speak, and provide inputs.
2. A minimum of **15%** dues paying members may petition the committee to hold a Special General Body meeting. The President shall hold the General Body meeting within **60** days after receiving the petition.
3. The committee shall select a chairperson from the pool of former presidents and advisors to preside over the General Body Meeting. Every person attending such meeting shall be required to provide appropriate credentials. Each member qualified to vote shall have only one vote, which shall be exercised by the member.
4. The committee shall hold its meetings regularly as deemed necessary to conduct the business of the society in a most effective manner. The President shall preside over the committee meetings.
5. **Special meetings:** If for any reason, a meeting of the committee is deemed necessary by the members and a representation to that effect is received by the committee, such a meeting shall be called by the Secretary within 30 days of the receipt of such a request. The President, with the consent of the committee, shall specify the place, date and time of yearly, special and other meetings of the committee.
6. **Extraordinary/Emergency meetings:** The President may call an extraordinary/ emergency meeting at anytime if such meeting is necessary.

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- 7. Notice of Meetings:** Any meeting or meetings shall be called upon no less than 14 days written notice.
- 8. Venue:** Meetings shall be held at such times and places as the President may, from time to time, decide with advice and consent of the committee.
- 9. Conduct of Meetings:** The order of business at meetings shall be determined by the President. All general meetings of the society shall be public but only the members (dues paying) shall have right to speak and provide inputs. The extraordinary/emergency meetings can be called as deemed necessary by the President.
- 10. Agenda for Meetings:** The agenda for each regular committee meeting shall be assembled by the President or General Secretary as designated. Any member may transmit material and recommend guests for inclusion on the agenda. Such material shall be submitted no later than 10 calendar days prior to the meeting. The President shall distribute the agenda to the members or the officers no later than 5 calendar days prior to the date of the meeting. Additional items may be placed on the agenda at a regular meeting by a majority vote of the members present.
- 11. Decision:** The decisions of the committee shall be made by a majority (one more than half the Board members) except when otherwise designated in these by-laws.
- 12. Motion to Reconsider:** A motion to reconsider may be made at the same meeting at which the vote was taken or a subsequent meeting by any member who did cast a vote.

## ARTICLE:VIII QUORUM

1. In the case of the executive meetings or the other committee meetings, 51% of its membership present constitutes the quorum. The members of the committee or the committee may participate in a meeting via telephone conference, video conference, or similar communications technology by means of which all persons

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participating in the meeting can hear each other and such participation shall constitute presence in person at such meeting.

## **ARTICLE:IX ELECTIONS**

1. Election for the new executive committee officers shall be completed within two years of the oath taking ceremony of the last committee .
2. Members only from Long Island New York (Nassau and Suffolk County) can cast the vote.
3. Election shall be held in a fair and all inclusive manner using every available method that is practical at the time of the election to encourage a greater participation from the members.
4. **Every two years, the President, with the approval of the executive committee, shall announce an Election Committee at least sixty (60) days prior to the election to facilitate the election in a fair, transparent, and democratic manner.**
5. The Election Committee shall be composed of five (5) society members, one of whom shall be designated as the chair of the committee.
6. **The Election Committee shall invite nominations for the positions of President, Senior Vice President, Vice Presidents, General Secretary, Secretaries, Treasurers, and Executive Board Members as described in section IV at least 30 days prior to the election.**
7. All the nominations for the positions shall be filed at least 20 days prior to such elections. Candidates nominated must consent to their nomination before nomination is filed.
8. All persons nominated will contest the election through the secret ballot. Only the dues paying members in good standing shall be eligible to vote.
9. The person receiving the majority votes for a designated position shall be declared elected.
10. The Election Committee Chairman shall certify the election and declare the results.

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11. If the election could not be held due to an unforeseen reason(s), the current Board shall continue **only** for up to 90 days during which an election **must** be held to elect the new officers of the committee.
12. For the purpose of election, the president, with the approval of the executive committee, shall announce a five-member membership verification committee 60 days prior to the election. The membership verification committee will determine the eligibility of the society membership and eligibility of the voting membership of the society.
13. Members of the election committee and membership verification committee shall not be eligible to contest in the election to be a member of the new executive committee.

## **ARTICLE:X OATH OF OFFICE**

1. The Election Committee Chair shall conduct the Oath of Office for the newly elected board members.
2. The Oath of Office shall constitute: "I, ..... do solemnly swear that I will support the Constitution of the United States, the Constitution of the State where I reside, and the Bylaws of the Long Island Nepalese Society New York, and that I will faithfully perform the duties of the position to the best of my knowledge, skill, and ability."

## **ARTICLE:XI FISCAL POLICY AND FINANCE COMMITTEE**

1. The fiscal year of the board shall be January 1 through December 31.
2. The fund derived from the life membership (herein called "the Life Membership Fund") shall not be used for the general day to day operation of the Association including the expenses incurred during the annual convention. The Life Membership Fund shall be allocated only for the major and long-term project(s) (such as building an Educational and Cultural Center) of the society.

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3. The **executive** committee shall appoint a Finance Committee composed of five (5) members, two (2) of whom shall be the President and the Treasurer as ex-officio members representing the current committee of the society. The remaining three (3) members shall be appointed from the general membership pool of the society. The Board shall designate one of the members except the President and the Treasurer as the chair of the committee.
4. In order to overlap the terms of the Finance Committee with the outgoing and incoming Boards, the term of the 1<sup>st</sup>Finance Committee shall be one (1) year and the subsequent committee shall be two (2) years.
5. The members of the committee shall serve without compensation.
6. The duties and responsibilities of the Finance Committee shall be:
  1. To develop and review fiscal procedures;
  2. To advise the Board on financial matters; and
  3. To review the financial records and report the findings to the committee once a year. The Board shall promptly post the reports on the website, as appropriate.
7. **Committee for long-term projects:** The executive committee shall appoint a long-term project committee for each project composed of eleven (11) members, five (5) of whom shall be the President, the Treasurer, the Co-Treasurer, two additional executive committee members as ex-officio members representing the current executive committee of the society. The remaining six (6) members shall be appointed from the life-time membership (3) and general membership (3) pool of the society. The Board shall designate one of the six members from the life-time or general members as the chair of the project. The bank account for debiting/crediting funds for such long-term projects has to be created within the current bank account of the society. In order to provide stability to the project and committee, a new executive committee should only replace ex-officio members and vacant members' positions. All members of the long-term projects committees shall serve without compensation.

## **ARTICLE:XII**

### **NOTICES AND CORRESPONDENCE**

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1. Signatures of the President shall be required for:
  1. All meetings and decisions of regular and special meetings; and
  2. All notices and correspondence signifying final elections of the Board.

## **ARTICLE:XIII**

### **NOTICES AND WAIVERS**

#### **1. Notices.**

Notices required by these by-laws to be given to members and officers shall be deemed to have been sufficiently given if in writing to each member or officer at his or her email address as it shall appear on the records of the society or posted on the society's website.

#### **2. Waivers.**

Any member or officer may waive notice of any meetings of the committee of these by-laws. Such notice shall be in writing and may be given by signing a waiver, mailing a card or by sending a fax, or e-mail and may be given either before or after a meeting. Attendance at any meeting shall constitute a waiver of notice and no written waiver shall be required.

## **ARTICLE:XIV**

### **AMENDMENTS**

#### **1. Adoption of by-laws.**

These by-laws shall become effective upon adoption by two-thirds of the members attending the General Body meeting. A minimum of **25%** dues paying members must be present in the General Body meeting.

#### **2. Amendments.**

Any proposed amendment to these by-laws may be submitted in writing to the Board over the signatures of two non-interested members. The following process shall apply:

1. The President shall cause a copy of the proposed amendment to be circulated to all the members.
2. Providing seven (7) calendar days notice is received, the proposed amendment will be placed on the agenda of the next duly constituted General Body meeting of the Association.

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- 3.** Such amendment will be effective upon adoption by two-thirds of the members attending the General Body meeting. A minimum of **25%** dues paying members must be present in the General Body meeting.

## **ARTICLE:XV NON- PROFIT STATUS**

The organization is organized exclusively for charitable, **cultural**, education, and/or scientific purposes under section 501 (c) (3) of the Internal revenue Code. No substantial part of the activities of the organization shall participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code. This organization will rely upon New York state law to be in compliance with Section 501(c)(3)) as required.

## **ARTICLE:XVI DISSOLUTION**

Dissolution of the society may be decided by the two-thirds (2/3) majority of the voting members of the General Body. The property of this corporation is irrevocably dedicated to the purposes mentioned in ARTICLE II, PURPOSE, and no part of the net income or assets of this organization shall ever **be used** to the **individual** benefit of any members of this **society**, or to the benefit of any private individual, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to a non-profit fund, foundation, or corporation that is organized

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and operated exclusively for charitable purposes and that has established its tax-exempt status under Section .....501(c)(3)..... of the Internal Revenue Code.

### **CERTIFICATION**

These bylaws were amended at a meeting of the General Body by two-thirds majority vote on .....