

Ethics and Elections Committee Report

**The American Radio Relay League
Report of the Ethics and Elections Committee
2011 Second Meeting**

Early in the year the committee reviewed a candidate's eligibility questionnaire to fill the Hudson Division Vice Director vacancy. The committee approved the eligibility and President Craigie appointed Bill Hudzik, W2UDT to Hudson Division Vice Director.

The committee followed the progress of two items of work started by last year's Ethics and Elections Committee. The ballot mailing address envelope and address label will be re-designed to help to prevent the issue reported by a very small number of members. Appears the post office mis-reads the mailing address and mailed the ballot back to the member. The presence of the bar code and mailing address causes the problem. The modified envelope design will be used in the elections starting this fall.

The second item was the committee's agreement that some changes needed to be made in the wording of the solicitation of candidate nomination forms to include the changes in the conflict of interest provisions of the Articles of Association and Bylaws that were made by the Board in July 2006.

Under the new Article 11 and Bylaw 46 a candidate or serving Board member who has a "pervasive and continuing conflict" is ineligible. However, a "pervasive and continuing conflict" only arises as described in Bylaw 46(e): "In the event the entity, in which the Board Member or a prospective candidate for the Association Board has such a financial interest, is engaged in an ongoing business or activity that directly competes with a material business or activity of the Association, the person shall be deemed to have a pervasive and continuing conflict that would render him or her ineligible to be a Board Member." Otherwise a candidate who has a conflict of interest is not ineligible, but if elected has a duty to disclose the conflict and a duty to recuse as described Bylaw 46(d). In addition, according to Bylaw 46(a) all Board members have a duty not to disclose confidential information to achieve a financial benefit for themselves or anyone else.

An in-depth discussion of Bylaw 46 wouldn't be appropriate in the solicitation. Last year's committee and this year's committee members do feel that potential nominees should be pointed to the relevant parts of the Articles and Bylaws and should be aware that they will be required to disclose all employment, material ownership and investment interests, and other financial arrangements so the E&E Committee can determine whether a pervasive and continuing conflict exists. This is a serious item that we must pay close attention.

The new wording now is included on the nomination form and QST solicitation.

The last item to report, the secretary received notice of a Section Manager recall. The secretary inform the requester that he has 75 days from July 1, i.e. until Wednesday, September 14, to deliver a recall petition containing the proper number of signatures of Full members of the section, dated on or after July 1, 2011.

Respectfully submitted,
Director Greg Sarratt, W4OZK Chair
Director Bob Vallio, W6RGG
Director Tom Frenaye, K1KI
July 5th, 2011