

1 **NATIONAL ASSOCIATION OF UNCLAIMED PROPERTY ADMINISTRATORS**
2 **CONSTITUTION (Amended 5-15-13)**

3
4 **ARTICLE I**

5 **NAME**

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7 **Section 1. Name:** The name of the Association shall be the National Association of Unclaimed
8 Property Administrators (NAUPA).

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10 **ARTICLE II**

11 **NAUPA OBJECTIVES**

12
13 The objectives of the Association are: to promote the exchange of information between
14 and among the executives and employees of the various States of the United States and other
15 governmental units who are charged with the responsibility, pursuant to unclaimed and abandoned
16 property, or escheat laws of the individual States, for the marshaling, administration and
17 disposition of unclaimed or abandoned property while supporting the return of unclaimed property
18 to rightful owners; to assist in resolving conflicts of jurisdiction in relation to unclaimed property;
19 to promote a better understanding of unclaimed or abandoned property; of escheat laws and the
20 rights of the several States in unclaimed property; to develop and foster uniform legislation and
21 implementation applicable to the marshaling, custodianship or escheating of abandoned property;
22 to increase the knowledge and ability of those engaged in the administration of unclaimed property
23 by organizing and sponsoring lectures, seminars and training programs; to otherwise facilitate the
24 effective use of unclaimed property for the benefit of the States of the United States and other
25 governmental units; and for any other lawful purpose.

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27 **ARTICLE III**

28 **MEMBERSHIP CLASSES, PROCESS, & RIGHTS**

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30 **Section 1. Membership Classes.** The Association shall have the following class of members
31 with voting rights: Principal (collectively the “Voting Members”). The Association
32 shall have the following class of members without voting rights, unless specifically
33 provided herein: Associate (collectively the “non-Voting Members”).

34 **Section 2. Principal Member.**

35 2.1 Eligibility. The State Treasurer or Agency Head or their Designee of all States,
36 territories and commonwealths of the United States and other governmental units,
37 including foreign countries and their political subdivisions (each of which may also
38 be referred to hereinafter as “State”), engaged in the administration and of
39 unclaimed property laws and disposition of unclaimed property shall be eligible to
40 be a Principal member of the Association. The term “Administrator” may be used
41 by the Agency Head to describe a Designee.

42 2.2. Process. Membership shall be automatic for the Agency Head and/or his or her
43 designee of each State upon payment of established membership fees.

44 2.3. Voting Rights. Each State shall be entitled to one voting delegate to the Annual
45 Business Meeting. Each Principal member in good standing shall be entitled to
46 cast only one vote.

47 2.4. Explicit Benefits. Principal membership entitles the member to hold office, to serve
48 on committees, to vote and to receive copies of the publications of the Association.
49

50 **Section 3. Associate Members.**

51 3.1 Eligibility. Employees of the agencies responsible may be eligible to be an associate
52 member of the Association. Additional State officials in the executive and
53 legislative branches of government interested in the disposition of unclaimed
54 property may also be eligible to be an associate member of the Association.

55 3.2. Process. Persons eligible for Associate membership shall make application for
56 membership and may be granted such membership upon approval of the Executive
57 Committee and payment of the annual fee for associate members.

58 3.3. Voting Rights. Associate Members shall be non-voting.

59 3.4. Explicit Benefits. Associate membership entitles the member to serve on committees
60 and to receive copies of the publications of the Association.
61

62 **Section 4. Other Memberships.** From time to time, with the approval of NAST, NAUPA may
63 add new membership categories at the discretion of the current membership.
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66

ARTICLE IV
OFFICERS

Section 1. Officers.

1.1. The national officers of the Association shall consist of a President, a Senior Vice President, a Secretary-Treasurer, a Vice President from each of the Association's four regions.

1.2. Eligibility for National Office. Any office designated in the Constitution of the Association shall be filled only by a Principal member or his or her designee of the Association. A member shall cease to be an Association officer upon severance of employment with a voting member. An officer's regular duties with the State must consist of the responsibility for, or direct involvement with, the unclaimed property program in an administrative, policy or enforcement capacity. The officer must be a full-time regular employee of the State and be a member in good standing

1.3. Rotation. The office of President shall rotate between an Agency Head and an Administrator in a manner which provides a rotation every year.

1.4. The initial officers were appointed in the Association's Written Consent in lieu of Organizational Meeting.

Section 2. Office of the President

2.1. As its principal officer, the President shall be responsible for taking action necessary to carry out the program of the Association as fixed by the Association and the Executive Committee. The President shall preside at all general meetings of the Voting Members and the Executive Committee of the Association. It shall be the duty of the President to appoint committees not otherwise provided for; to act at his or her option as a member ex officio, without vote, of all committees; and to enforce the Constitution of the Association.

2.2. Term Limit. A member shall not serve more than one consecutive term as President.

Section 3. Office of the Senior Vice President

3.1. It shall be the duty of the Senior Vice President to act on behalf of the President in the absence or at the request of the President. When acting on behalf of or in lieu of the President, the Senior Vice President shall have all the authority and

perform all of the duties of the President. The Senior Vice President shall serve as President in the event of vacancy in the office of the President or incapacity of the President.

3.2. The Senior Vice President shall perform such usual duties of the office as are assigned to the Senior Vice President by the President, including serving as the Program Chair for national meetings that include unclaimed property topics.

3.3. The Senior Vice President shall serve as President-Elect of the Association.

3.4. Term Limit. A member shall not serve more than one consecutive term as Senior Vice President.

Section 4. Office of the Secretary-Treasurer

4.1. The Secretary-Treasurer shall review the acceptance and trust of all funds or monies attributed to the Association in accordance with the Article IX of the NAST Constitution.

4.2. The Secretary-Treasurer shall ensure that permanent records of the Association are kept and shall report at the Annual Business Meeting the financial condition of the Association, including an accounting of the receipts and disbursements for the preceding year. The Secretary-Treasurer shall perform such other duties as may be assigned by the Association or the Executive Committee.

4.3. Term Limit. A member shall not serve more than four consecutive terms as Secretary-Treasurer.

Section 5. Office of the Regional Vice Presidents

5.1. Regional Vice Presidents shall serve as the primary link between the Executive Committee and the members of their respective regions. It shall be the duty of the Regional Vice Presidents to solicit input from members of their region on questions and issues before the Executive Committee and to communicate actions of the Executive Committee to members of their region.

5.2 Regional Vice Presidents may conduct or facilitate regional training, education and discussion sessions and should mentor new unclaimed property officials and personnel within the region.

5.3. Term Limit. A member shall not serve more than two consecutive terms as Regional Vice President.

Section 6. Office of Immediate Past President. The Immediate Past President shall serve in an advisory capacity to the Executive Committee as a Voting Member.

Section 7. Method of Election.

7.1. Nomination. The Nominating Committee shall consist of the Immediate Past President and the four incumbent Regional Vice Presidents, who shall notify the members at least 90 days prior to the election, of the Nominations and Election process. The committee members will meet at least 45 days prior to the election to prepare and present list of candidates for the offices of Senior Vice President, Secretary-Treasurer and Regional Vice Presidents. The list shall include all member representatives who have affirmed their willingness to run and serve in the particular office and were timely nominated in writing to the Nominating Committee. A representative may be self-nominated. Association members will be sent the list of nominated candidates at least thirty days prior to the Association's Annual Meeting or Special Meeting. At such meeting, additional candidates may be nominated from the floor for any of the offices.

7.11. President. The sitting Senior Vice President shall be the nominee for President. In the event such person is ineligible, unable, or unwilling to serve, nominations will be solicited from the membership.

7.12. Regional Vice Presidents. The official voting delegates of the Association within each respective region shall nominate from among their members a candidate for Regional Vice President.

7.2. Timing of Election. Officers shall be elected at the Annual Business Meeting or during a Special Business Meeting of the Association.

7.3. Election Process.

7.31. Election of officers shall be by written ballot as to any office for which more than one candidate is nominated.

7.32. An affirmative majority vote of the member States officially represented and voting at the annual meeting shall be necessary to elect.

7.33. In case no candidate shall receive a majority, the one receiving the smallest number of votes shall be dropped and another ballot taken until a candidate successfully receives an affirmative majority of those present and voting.

Section 8. Term of Office. The term of office for all elected and appointed offices shall be one

year commencing on January 1 of each year and terminating on December 31 of the same year.

Section 9. Method of Filling Vacancies. In the event that a vacancy occurs in an office where no specific provision exists for filling such vacancy, the Executive Committee is empowered to elect a voting member of the Association to serve for the remainder of the current term of the vacancy. In doing so, the committee shall consider all relevant factors, including the length of the remaining term of office, the best interests of the Association and such other factors as the Executive Committee deems appropriate.

ARTICLE V

AFFILIATION WITH NAST

[Section 1]. NAUPA is affiliated with NAST in accordance with Article V of the NAST Constitution which reads:

1.1. Upon membership approval, NAST may create or affiliate with networks and groups ("Affiliated Networks"). The goal of a network is to provide opportunities for State government finance officials to exchange information and ideas on subjects which by their nature are not exclusively, but principally, within the purview of State Treasurers. In considering additional Affiliated Networks, NAST shall consider the potential impact on current programmatic efforts, the ability of the NAST membership and staff to support the Affiliated Networks, and such other factors as are deemed relevant.

1.2. Affiliated Network governance documents and amendments to such governance documents shall be subject to approval of the National Executive Committee. Affiliated Network governance documents shall be presented in a format similar to the NAST Constitution and address, at a minimum, the following items: terms and term limits of officers and board members, the succession of officers, the rotation of board members. In the development and implementation of these governance documents, Affiliate Networks should strive to balance the need for continuity of leadership (governing board members and officers) with creating opportunity for participation in leadership by the broad membership. In addition, Affiliated Networks should work cooperatively to create governing documents that are as

consistent as possible across all Affiliated Networks, recognizing that differences in each network may require some variation within the governing documents.

1.3. If an Affiliated Network elects to utilize a regional structure, then such regional designations must correspond to those provided in the NAST Constitution.

1.4. The budgets of Affiliated Networks shall be developed and administered in accordance with ARTICLE IX [of the NAST Constitution].

1.5. Policy positions proposed by an Affiliated Network shall be considered by NAST pursuant to ARTICLE XI [of the NAST Constitution].

[Section 6 from the NAST Constitution] Consultation Process:

The Association [NAST] is committed to open, full, and honest communication between its governing bodies to ensure that decisions are carefully considered and adhere to best practices for the Association.

6.1. The Association shall enter a consultation process when making significant decisions regarding the activities and affairs of the Association, including:

6.11. any proposed additions or amendments to governance policies and standards or the strategic plan;

6.12. any proposed additions or amendments to the structure of the Association; and

6.13. any other material decisions where it is reasonable to expect a consultation process between the governing bodies of the Association to occur.

6.2. A consultation process shall involve the following steps:

6.21. providing copies of the changes to each of the bodies within the governance structure of the Association;

6.22. allowing each body sufficient time to carefully consider the impact on the Association, including the impact on finances, people, processes, systems, and controls; and

6.23. reaching a general agreement regarding the changes amongst the bodies within the governance structure of the Association.

6.3. The consultation process is to ensure that only very good decisions are made, and may take several weeks or more. In the event a disagreement exists, or the process is taking an excessive amount of time, the matter shall be dealt with in whatever manner the bodies within the governance structure of the Association

deem best.

ARTICLE VI

COMMITTEES

Section 1. Executive Committee

1.1. Composition. The Executive Committee shall consist of thirteen (13) Voting Members. The President, the Senior Vice President, the Secretary-Treasurer, the Regional Vice Presidents and the most recent Past President who is available to serve, and the chairs of the Education Committee, Uniformity and Standardization Committee, and Strategic Planning Committee shall be constant positions. Two (2) at-large officers shall be filled by one (1) State Treasurer or unclaimed property administrator from a treasury State and one (1) agency head or unclaimed property administrator from a non-treasury State. The NAST President will designate the treasury States representative. The non-treasury States shall elect their representative at the Annual Business Meeting or a Special Business Meeting.

1.2. Vacancies. If an at-large vacancy occurs in the non-treasury States category, an election of the appropriate member States shall fill the appropriate vacancy and that appointment shall serve the remainder of the unexpired term. This election can be by mail ballot at the discretion of the Association President.

1.3. Meetings. The Executive Committee shall meet at the call of the President or on petition signed by three members thereof.

1.4. Duties and Responsibilities. The Executive Committee shall have all powers necessary to effectuate the objectives of the Association, including the power to:

1.41. Act on pressing matters, including recommending policy and recommending rescission of existing policy to NAST, in the interim between regular meetings of the full body. Proposed interim policy must be presented in written form to all Executive Committee members. In addition to the text of any proposed interim policy, the Executive Committee must receive background information on the policy, a written explanation detailing why time is of the essence for consideration of the policy, a summary of anticipated Association staff follow-up activity, and a return voting ballot.

1.42. The Executive Committee may adopt and promulgate rules in the nature of a

code to effectuate the objectives of the Association in accordance with the provisions of this Constitution, which shall become effective immediately upon adoption, unless otherwise stated. Such rules shall, however, be submitted for full membership consideration at the next Annual Meeting of the Association.

1.43. Conduct the business of the Association and take such actions as are necessary to achieve the Association objectives. The agenda shall take into account suggestions from the regions and shall be prepared in advance of the Annual Meeting and each Executive Committee meeting. It shall be distributed to the members of the Association in advance of the meeting. All Voting Members shall be notified and entitled to be present at all meetings of the Executive Committee.

1.44. The Executive Committee shall comprise the members of the NAST Unclaimed Property Committee and keep the NAST membership abreast of developments in its topical area, shall assist in development of educational sessions for NAST events within its topical area, and other duties assigned by the President of NAST.

Section 2. Uniformity and Standardization Committee

2.1. Composition. Members shall be appointed to the committee by the President.

2.2. Officers. The President shall appoint a chair and vice chair of the committee.

2.3. Duties. The committee shall keep the NAUPA membership abreast of developments in its topical area, shall assist in developing and fostering uniform legislation, regulations and processes within its topical area, shall assist in development of educational sessions for NAST events within its topical area, and other duties assigned by the President.

2.4. Staff Support. The NAST Executive Director shall assign staff to support the activities of the committee.

Section 3. Education Committee.

3.1. Composition. Members shall be appointed to the committee by the President.

3.2. Officers. The President shall appoint a chair and vice chair of the committee.

3.3. Duties. The committee shall keep the NAUPA membership abreast of developments

in its topical area, specifically undertaking the study of member, public and compliance educational and training issues for the purpose of making recommendations to the NAUPA Executive Committee for consideration. The committee will also work to educate all stakeholders in countering misinformation about unclaimed property programs that is presented in the public arena. The committee shall assist in development of educational sessions for NAST events within its topical area, and other duties assigned by the President.

3.4. Staff Support. The NAST Executive Director shall assign staff to support the activities of the committee.

Section 4. Strategic Planning Committee.

4.1. Composition. Members shall be the Regional Vice Presidents. Additional members may be appointed to the committee by the President.

4.2. Officers. The President shall appoint a chair and vice chair of the committee.

4.3. Duties. The committee shall make recommendations to the Executive Committee related to the association's mission, vision, values, strategic priorities, and major programs and services. The committee will identify critical strategic issues facing the association and establish an effective strategic planning process that includes development of a three to five year strategic plan with measurable goals and time targets. The committee will periodically review the strategic plan, recommend updates as needed and report annually to the membership on its progress.

4.4. Staff Support. The NAST Executive Director shall assign staff to support the activities of the committee.

Section 5. Budget Committee.

5.1. Composition. Members shall be the President, the Senior Vice President, and the Secretary-Treasurer.

5.2. Officers. The Secretary-Treasurer shall serve as chair of the committee.

5.3. Duties. The committee shall be responsible for assisting NAST as requested in the annual budgeting and allocation process. The committee shall fulfill such other duties as may be assigned by the President.

5.4. Staff Support. The NAST Executive Director shall assign staff to support the activities of the committee.

331
332 **Section 6. Program Committee**

333 6.1. Composition. Members of the Program Committee shall be the President, Senior Vice
334 President, the Uniformity and Standardization Committee Chair, the Education
335 Committee Chair, the Regional Vice Presidents and the Immediate Past President.

336 6.2. Officers. The Senior Vice President shall serve as the committee chair.

337 6.3. Duties. The Program Committee shall develop and approve the program and program
338 materials for all conferences with an unclaimed property topical area.
339 Additionally, the Program Committee shall assist NAST as requested in program
340 areas that include unclaimed property topical area.

341 6.4. Staff Support. The NAST Executive Director shall assign staff to support the
342 activities of the committee.
343

344 **Section 7. Nominating Committee**

345 7.1. Composition. Members shall be the Immediate Past President and the Regional Vice
346 Presidents.

347 7.2. Officers. The Immediate Past President shall be chair of the committee.

348 7.3. Duties. The Nominating Committee shall recommend to the President the time of
349 year for the election and inform the membership of the annual process for
350 nominations of candidates for the elected officers and communicate the list of
351 candidates to the membership.

352 7.4. Staff Support. The NAST Executive Director shall assign staff to support the
353 activities of the committee.
354

355 **Section 8. Other Association Committees.** The President, with the advice and consent of the
356 Executive Committee, shall appoint such special committees as may be required, provided
357 all resolutions or policy positions proposed by such committees shall be subject to the
358 review and approval process provided within this Constitution.
359

360 **ARTICLE VII**
361 **MEETING CONDUCT**

362
363 **Section 1. Business Meetings**

364 1.1. Annual Business Meeting. This meeting represents the major business meeting of the
365 Association and takes place in conjunction with the Annual Conference.

366 1.11. Notice. All members of the Association shall receive at least 10 days notice
367 of the nature of business to be conducted during the Annual Business
368 Meeting. This may be accomplished by providing a proposed agenda for
369 such business meeting to each member.

370 1.12. Business Considered. Election of officers for the next calendar year; receipt
371 of Association financial reports; reports of Committees, including
372 consideration of resolutions and policy positions; and ratification of actions
373 taken by the Executive Committee.

374 1.13. Usual Order of Business.

375 1.131. Call to Order

376 1.132. Recognition of Proxies, Electronic Participants & Announcements

377 1.133. Consideration of Minutes of Prior Meetings

378 1.134. President's Report

379 1.135. Treasurer's Report

380 1.136. Reports of Standing Committees

381 1.137. Reports of Special Committees

382 1.138. Regional Reports

383 1.139. Elections (May be held at another time each year in a Special
384 Business Meeting.)

385 1.140. Unfinished Business

386 1.141. New Business

387 1.142. Announcements

388 1.143. Adjournment

389 1.2. Regular Business Meeting. Regular business meetings shall be scheduled to occur in
390 accordance with the NAST conference schedule.

391 1.21. Notice. The notice requirement shall be the same as for the Annual Business
392 Meeting.

393 1.22. Business Considered. Any business appropriate for consideration during the
394 Annual Business Meeting may be considered during regular business
395 meetings.

396 1.23. Usual Order of Business. Same as for the Annual Business Meeting.

397 1.3. Special Business Meeting. A Special Business Meeting may be scheduled by the
398 President only when exigent circumstances dictate that action by the Association is
399 required. Such business may be conducted by electronic means, by ballot, or such
400 other method determined appropriate by the Executive Committee. The annual
401 election of officers may also qualify as a Special Business Meeting and may be
402 conducted by electronic mail ballot.

403 1.31. Notice. The notice requirement shall be the same as for the Annual Business
404 Meeting, provided that with the concurrence of the Executive Committee,
405 such notice period may be shortened to a period of not less than seven (7)
406 days. Notice of such meeting shall summarize the exigent circumstances
407 dictating expedited action by the Association.

408 1.32. Business Considered. Any business determined by the President as
409 necessitating immediate action by the Association.

410 1.33. Usual Order of Business. Same as for the Annual Business Meeting.
411

412 **Section 2. Voting.** An affirmative majority vote of the member States present (or participating
413 through otherwise sanctioned electronic means) and voting shall decide all questions and
414 matters before the Association at its business meetings or meetings of other committees
415 and sub-groups, unless specifically provided herein. If an interim poll is taken a majority
416 of the member States must cast affirmative votes to make such decision. Any action of
417 Association officers and committees shall be in accordance therewith, but such officers
418 shall, if requested, facilitate the presentation of any minority view.

419 2.1. All Association meetings and votes shall be public, unless at least two-thirds (2/3) of
420 the relevant body first agrees to go into executive session due to the personal or
421 otherwise pre-stated sensitive nature of the matter.

422 2.2. No State shall ever be deprived of its rights or privilege to assert its own position on
423 any issue.

424 2.3. Any member who shall not have paid the annual fees for the preceding year shall not
425 be eligible to vote on questions under consideration at the annual meeting until
426 such delinquent fees are paid.

427 2.4. Approval of action by the Executive Committee shall require an affirmative majority
428 vote of the membership of the Committee.

429 **Section 3. Proxies.** For any and all meetings convened by NAUPA, each Principal member may

designate in writing an individual to serve as a voting delegate in the Principal member's place in the event the Principal member is unable to be present provided:

3.1. The delegate's written designation is filed with the Association Manager of NAUPA, or in the Association Manager's absence, the chair of the meeting prior to a vote being taken;

3.2. The delegate is duly registered at the meeting;

3.3. The delegate identifies themselves at the event as a proxy prior to exercising any vote;

3.4. The delegate is from the staff of the designating member; and

3.5. No delegate or Principal member may cast more than one (1) vote.

Section 4. Quorum.

4.1. At an Annual Business Meeting, a regular business meeting, or a special business meeting, a quorum shall consist of a majority of those members registered for the meeting, including persons serving as proxies as provided in ARTICLE VII, Section 3.

4.2. At all other meetings of committees or sub-groups convened by NAUPA a quorum shall consist of a majority of those members duly appointed to such committee or sub-group.

Section 5. Meeting Notice.

5.1. Generally. Except as specifically provided otherwise within this Constitution for Association business meetings, notice of any other meeting shall be given to the Voting Members of the relevant committee no less than seven (7) calendar days in advance of any meeting. At a minimum, the notice shall contain the date and time of the meeting, a general description of the business to be considered during such meeting, and instructions on how a member may participate in such meeting. Such notice may be given in written or electronic form.

5.2. Membership Notice. The notice required for meetings of the Association and its committees shall be posted on the Web site maintained by the Association, as applicable.

Section 6. Robert's Rules of Order. Except as otherwise provided herein, the proceedings of all meetings of the Association and subdivisions thereof shall be governed by Robert's Rules

of Order.

Section 7. Meetings Held Using Sanctioned Electronic Means. A member may participate in a meeting of the Association or any committee thereof by means of conference telephone or, if authorized by the Executive Committee, by such other means of synchronous communication. Participation in a meeting by synchronous communication constitutes presence at the meeting.

ARTICLE VIII

DEFINITIONS

Section 1. Member in Good Standing: A Principal member who has paid annual membership dues during the current or prior fiscal year shall be considered a “Member in Good Standing” and is eligible to vote on questions under consideration at the annual business meeting of NAUPA and is eligible to hold office.

Section 2. Synchronous Communication: any form of communication where there is live (i.e. instant) interaction between the participating parties. Example: face to face, real time videoconferencing, standard telephony, instant messenger, chat rooms, or such other means by which persons not physically present in the same location may communicate with each other through a live interaction.

Section 3. Presiding Officer: term used to signify the highest office in NAUPA.

Section 4. Governing Board: term used to identify the group in NAST or an Affiliated Network charged with the conduct and management of its affairs; can include Executive Committee.

Section 5. Governance Standards: term used to identify the documents used by NAST or an Affiliated Network that define expectations, grant power, verify performance, provide consistent management, cohesive policies, processes and decision-rights; can include Constitution, Guidelines, or By-Laws.

Section 6. Ex Officio: By virtue of office or position.

Section 7. In Writing: A proxy will be approved upon receipt by the Association Manger of NAUPA of a signed notice from the Principal delivered in person, by U.S. Mail, courier service, facsimile, electronic mail or any other means recognized by the Uniform Electronic Transactions Act.

Section 8. Affirmative Majority Vote: A vote exceeding fifty (50) percent plus one of the membership of the Association, or a committee or related group of the Association.

ARTICLE IX

FINANCES

Section 1. Fiscal Year. The fiscal year for the Association shall be July 1 through June 30.

Section 2. Budget. The NAST National Executive Committee will account for all income and administer all expenses for the Association through an annual budgeting and allocation process. The budget will include projected income and expenses. The NAST National Executive Committee will approve the budget and any necessary amendments therein.

2.1. The NAST Finance Committee shall coordinate budget development and execution activities for the Association with the assistance of the NAST Executive Director.

2.2. The NAST Finance Committee shall annually develop and distribute to the Association presiding officers a calendar of budget events which outlines key dates and assignment of duties for timely budget development and adoption.

2.3. The NAUPA Executive Committee will recommend a proposed budget and act in an advisory capacity to the NAST Finance Committee and NAST National Executive Committee during the budget preparation process and as necessary regarding all financial matters on behalf of their respective members.

Section 3. Membership Dues. The annual fees to be assessed by the Association for Principal members and associate members shall be established by the NAST National Executive Committee.

Section 4. Non-Payment of Dues Penalty. Any member who shall not have paid the annual fees

for the preceding year shall not be eligible to vote on questions under consideration at the Annual Business Meeting or Special Business Meeting until such delinquent fees are paid. Any member who is delinquent in the payment for two or more years shall be suspended from membership in the Association until such time as membership dues for the current year are paid.

ARTICLE X
REGIONS AND ASSIGNMENTS

Section 1. The Regions of the National Association of Unclaimed Property Administrators shall be constituted as follows:

WESTERN REGION

Alaska	Guam	New Mexico
American Samoa Trust Territories	Hawaii	Oregon
Arizona	Idaho	Utah
California	Montana	Washington
Colorado	Nevada	Wyoming
		Alberta
		British Columbia

MID-WESTERN REGION

Illinois	Michigan	North Dakota
Indiana	Minnesota	Ohio
Iowa	Missouri	South Dakota
Kansas	Nebraska	Wisconsin

EASTERN REGION

Connecticut	Massachusetts	Rhode Island
Delaware	New Hampshire	Vermont
District of Columbia	New Jersey	West Virginia
Maine	New York	Québec
Maryland	Pennsylvania	

SOUTHERN REGION

Alabama	Louisiana	South Carolina
Arkansas	Mississippi	Tennessee
Florida	North Carolina	Texas
Georgia	Oklahoma	U.S. Virgin Islands
Kentucky	Puerto Rico	Virginia

Section 2. New Members. A new State member shall be assigned a region by the Executive Committee and added to the Constitution without the Amendment process set forth in Article XII providing that all members are notified immediately of the revision.

Section 3. Department Assignments. Those States where the unclaimed property program is within a comptroller's office include: California, Maryland, New York and Texas. Those States where the unclaimed property program is within a revenue or tax department include: Alaska, Province of Alberta, Arizona, Delaware, Georgia, Montana, New Mexico, Province of Québec, Washington and Wisconsin. Those States where the unclaimed property program is within a State Treasury include: Alabama, Colorado, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia and Wyoming. Those States where the unclaimed property program reside in agencies not listed above include: Arkansas, Commonwealth of Puerto Rico, Indiana, Minnesota, North Dakota, Ohio, Oregon, Province of British Columbia, U.S. Virgin Islands and all other governmental units.

ARTICLE XI
MISCELLANEOUS

Section 1. Policy Position Adoption by the Association

1.1 Generally. It is expected that policy resolutions will be presented to and originate from the Association committee having subject matter jurisdiction. Resolutions for which a subject matter jurisdiction committee does not exist as determined by the

President shall be presented to the Executive Committee for consideration. Only Principal members of the Association may present policy positions for consideration to the Association or any of the Association's committees.

1.2. Proposals Recommended by Committees. Resolutions intended to State an Association policy position shall first be presented to the Association committee having subject matter jurisdiction. If favorably recommended by the appropriate committee, the proposed resolution shall next be submitted to the Executive Committee. If favorably recommended by the Executive Committee, the proposed resolution shall next be submitted to the membership at a business meeting. Resolutions recommended by the Executive Committee may be adopted pursuant to Section 2 of ARTICLE VII (requiring an affirmative majority vote for adoption).

1.3. Proposals Not Recommended by Committees. A resolution intending to State an Association policy position which is either not recommended by the standing committee, the Executive Committee may still be presented to the membership at a business meeting. Resolutions not recommended by the Executive Committee may be adopted pursuant to Section 2 of ARTICLE VII, provided such resolutions shall be subject to approval by a three-fourths (3/4) affirmative vote.

1.4. Ratification of Executive Committee Actions. The Association acknowledges that circumstances will periodically necessitate that the Executive Committee State a position on behalf of the Association in the absence of a vote of the membership. In such circumstances, the Executive Committee shall, to the extent possible:

1.41. Notify all Voting Members of the circumstance then existing, the actions proposed, and provide a period for member comment. This may be accomplished by electronic means;

1.42. Include within any action or positions taken an acknowledgement that such was taken by the Executive Committee and is subject to subsequent ratification or modification by the Association;

1.43. Notify all Voting Members of the action taken; and

1.44. Present the Executive Committee action for ratification or modification at the next available business meeting.

1.5 Miscellaneous.

1.51 Sunset of Policy Resolutions. Unless otherwise stated within a resolution, policy positions taken by the Association remain in effect for three (3) years, at which time the policy positions are to be considered by the Association committee having subject matter jurisdiction or the Executive Committee following the process described in Section 1.2 above.

1.52 Public Record of Resolutions. It shall be the responsibility of the Association Manager under the supervision of the NAST Executive Director to maintain an index of policy resolutions adopted by the Association that shall be available to the membership.

Section 2. Corporate Contributions and Vendor Relationships. Designation, acceptance, or recognition as a corporate contributor or vendor does not constitute an endorsement by the National Association of Unclaimed Property Administrators of the corporate contributor or vendor or any of their practices or products unless provided for in contract. Employees of Corporate contributors or vendors that serve on Association Committees shall be non-voting unless specifically provided otherwise within this Constitution or the NAST Constitution.

Section 3. Representatives to NAST Committees. The President shall appoint representation from the NAUPA Executive Committee to those NAST Committees where NAUPA representation is required. The members of the NAUPA Executive Committee shall constitute the members of the NAST Unclaimed Property Committee.

Section 4. Governance Documents Conflict. No language or provision contained in the National Association of Unclaimed Property Administrators Constitution shall conflict with any language or provision contained in the National Association of State Treasurers Constitution.

ARTICLE XII

AMENDMENTS

Section 1. Annual or Regular Business Meetings. This Constitution may be amended at any

635 Annual or regular business meeting by affirmative majority vote of the members of the
636 Association in attendance. Amendments must be approved in accordance with Article V
637 of the NAST Constitution. Unless otherwise noted, amendments are effective
638 immediately upon adoption and subsequent approval of the NAST Executive
639 Committee.

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641 **Section 2. Sanctioned Mail / Electronic Means.** This Constitution may be amended through
642 sanctioned mail or electronic means authorized by the Executive Committee. The
643 Executive Committee shall submit to all members a copy of any proposed amendment
644 at least thirty (30) days prior to the closing of ballot by mail. An affirmative majority
645 vote of the members shall be necessary to approve an amendment by sanctioned mail /
646 electronic means.