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# State of Idaho

## Department of State

### CERTIFICATE OF AMENDMENT OF

THE EASTERN IDAHO TECHNICAL COLLEGE FOUNDATION, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Amendment to the Articles of Incorporation of THE EASTERN IDAHO TECHNICAL COLLEGE FOUNDATION, INC. duly signed and verified pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Amendment to the Articles of Incorporation and attach hereto a duplicate original of the Articles of Amendment.

Dated: August 17, 1992



*Pete T. Cenarrusa*  
SECRETARY OF STATE

By *Sherry Raines*

**SECOND ARTICLES OF AMENDMENT OF  
THE ARTICLES OF INCORPORATION OF  
THE EASTERN IDAHO TECHNICAL COLLEGE FOUNDATION, INC.**

RECEIVED  
SEC. OF STATE

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Pursuant to 30-1-145 of the Idaho Business Corporation Act, the following resolutions were adopted by the Eastern Idaho Technical College Foundation, Inc.

RESOLVED, the articles of incorporation filed with the Idaho Secretary of State on March 27, 1991, amended by articles of amendment of the articles of incorporation filed with the Idaho Secretary of State on January 27, 1992, are amended by deleting all of the amended articles and substituting the Articles set out below.

The amendments change the language of paragraphs 3, 4, and 10 of the articles of amendment relating to section 501(c)(3) of the Internal Revenue Code to accommodate suggestions made by the Internal Revenue Service. The revised language is contained in paragraphs 3, 4, 5, and 6 of these second articles of amendment. Paragraphs 1, 2, 5, 6, 7, (with minor modifications) 8, and 9 of the articles of amendment are restated as paragraphs 1, 2, 8, 9, 10, 12 and 13 of these second amended articles. Paragraph 11 of the articles of amendment is not restated as not relevant. Paragraph 11 of the second articles of amendment states the now relevant facts.

1. The name of the corporation is Eastern Idaho Technical College Foundation, Inc.
2. The period of its duration is perpetual.
3. The corporation is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.
4. No substantial part of the activities of the corporation will be to carry on propaganda or otherwise attempt to influence legislation and it will not participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office including the publishing or distributing of statements.
5. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue law) or (b) by a corporation contributions to which are deductible under

section 170 (c) (2) of the Internal Revenue Code of (or the corresponding provision of any future United States Internal Revenue law)

6. Upon the dissolution of this corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue law), or shall be distributed to the federal government, or to a state or local government, within the United States, for a public purpose. Any such assets not so disposed of shall be disposed by the trial court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization(s) as the Court shall determine which are organized and operated exclusively for such purposes.

7. In addition to the general charitable and educational purposes of the corporation its general purpose is to engage in non-profit activities for the benefit of Eastern Idaho Technical College including but not limited to soliciting and receiving gifts, bequests and devises, promoting excellence in education and related activities, and transacting any other business or performing any other activities authorized by Idaho law consistent with section 501(c)(3) of the Internal Revenue Code.

8. The affairs of the corporation shall be conducted by the board of directors selected as provided in the by-laws. The members of the corporation shall consist of the board of directors.

9. The address of its initial registered office is 490 Memorial Drive, Idaho Falls, ID 83402. The name of its initial registered agent at such address is Dale W. Storer whose mailing address is P.O. Box 51630, Idaho Falls, ID 83405-1630.

10. The number of directors constituting its initial board of directors is two, those persons also being the incorporators, whose names and addresses are:

Dale W. Storer  
P.O. Box 51630  
Idaho Falls, ID 83405-1630

Don Ofte  
2910 Sunnybrook Lane  
Idaho Falls, ID 83404

11. The officers of the corporation at the time of the adoption of these articles of amendment who are persons authorized to sign these articles of amendment are:

Thomas Setter, M. D.  
President


Jim Countryman  
Acting Secretary and Treasurer

12. The members of the corporation shall not be personally liable for any debts liabilities or obligations of this corporation.

13. No part of the net earnings of the corporation shall inure to the benefit of or be distributable to any individual, excepting payment of reasonable compensation for services actually rendered or goods provided or in furtherance of the charitable and educational purposes of this corporation.

Dated: July 15, 1992.

  
Thomas J. Satter, M.D.

  
Jim Countryman

STATE OF IDAHO                    )  
  ) ss  
County of Bonneville            )

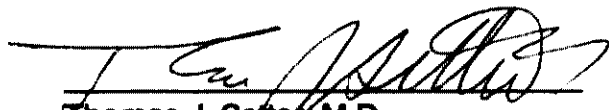
Thomas J. Setter, being first duly sworn, upon his oath, states:

The name of the corporation filing these second articles of amendment is Eastern Idaho Technical Foundation, Inc.


The articles of amendment delete the amended articles of incorporation and restate them. The new articles of incorporation are fully stated in the above articles of amendment. The articles of amendment do not represent significant changes in the manner in which the corporation will operate. Changes are the revision of language of the articles to more clearly state the provisions relating to qualification for tax recognition as a charitable and education corporation under section 501(c)(3) of the Internal Revenue Code.

The articles of amendment were presented to the board of directors on July 15, 1992 and adopted by at least a majority of all directors in office.

Dated this 15<sup>th</sup> day of July, 1992

  
Thomas J. Setter, M.D.

Subscribed and sworn to before me this 15<sup>th</sup> day of July, 1992.

  
Notary Public for State of Idaho  
Residing at Idaho Falls, Idaho:  
My Commission Expires: March 9, 1993

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