

North Dakota Hockey Officials Association  
Bylaws  
Written May 14, 2005

revised  
5-16-09

ARTICLE I - OFFICE of the CORPORATION

The office of the Corporation shall be located in the City and State designated in the Articles of Incorporation. The Corporation, herein and after known or referred to as the NDHOA, may also maintain offices at such other places within or without the United States as the Board of Directors may, from time to time, determine.

ARTICLE II - MEMBERSHIP

Section 1 - Membership of Qualifications. Membership shall be open to hockey officials who have successfully completed the current hockey registration process within USA Hockey. The Board of Directors may establish additional qualifications.

Section 2 - Voting Rights. Each member is entitled to one vote on any issue requiring the consent of the general membership providing that said member has completed the USA Hockey registration process and has also applied to and paid the registration fee for membership in the North Dakota Hockey Officials Association. The President shall have voting rights at all meetings with the exception of meetings of the general membership where he will cast a vote only to break a tie.

Section 3 - Registration Fees. Registration fees for all officials shall be \$10.00 per year for this corporation, plus any amount deemed necessary by the Board of Directors of the corporation.

ARTICLE III - JURISDICTION

Section 1 - Jurisdiction. The North Dakota Amateur Hockey Association (NDAHA) shall have the final jurisdiction over all amateur officials in North Dakota through its rules and applying the membership standards as established by this corporation and the registration rules established by USA Hockey.

ARTICLE IV - MEETINGS

Section 1 - Annual Meeting. The annual meeting shall be held in the spring of each year at the same time or before the meeting of the NDAHA, for the purposes of electing *board members* for the transaction of any other business that may come before the NDHOA meeting.



Section 2 - Special Meeting. Special meetings of the members may be called by the President, by a majority of the vote of the Board of Directors or by not less than one-fifth of all members of the corporation.

Section 3 - Place of Meetings. The President may designate any place within the state of North Dakota *or adjacent states* as the site of the annual meeting.

Section 4 - Notice of Meetings. Notice *by posting on the NDAHA web* page stating the place, day and hour of the meeting shall not be delivered less than ten (10) nor more than thirty (30) days prior to the date of the meeting. IN the event that a special meeting of the Board of Directors is required, the notice shall not be less than 24 hours before the special meeting.

Section 5 - Quorum. A majority of the members of the Board of Directors shall constitute a quorum at any meeting.

Section 6 - Proxies. There shall be no representation by proxy of members of this corporation or it's Board of Directors.

Section 7 - Guests. Any interested party or individual who is not a member of the corporation may attend any meeting but shall not have voting rights.

#### ARTICLE V - BOARD OF DIRECTORS

Section 1 - General Powers. The Board of Directors shall have the power to run the business affairs of the corporation.

Section 2 - Number of Members. The number of Directors of the Corporation shall be one (1) district Supervisor of Officials elected or appointed from each NDAHA district, one (1) District Director at-large elected or appointed from each NDAHA district, and one (1) NDHOA Referee -in-Chief.

The USA Hockey District RIC shall appoint each ND District Supervisor of Officials after discussion and mutual agreement with the NDHOA RIC. The SE and NW district Supervisor of Officials shall be appointed on odd-numbered years. The NE and SW District Supervisors of Officials shall be appointed on even-numbered years.

Each of the ND District Members at large shall be elected from a list of candidates presented during *the NDHOA annual meeting*. The SE and NW District Directors at large shall be elected on even numbered years. The NE and SW District Directors at Large shall be elected on odd numbered years.

The USA Hockey District RIC *upon consultation* with NDAHA President shall appoint the NDHOA RIC on odd-numbered years.



Section 3 - Meetings. Meetings of the Board of Directors may be called pursuant to Article IV, section 4.

Section 4 - Ex-Officio Members. The USA Hockey Referee in Chief and the USA Hockey Officiating Program Director shall not be an elected member of the Board of Directors under Section 2 of this Article but shall be an ex-officio member of the Board without voting rights.

Section 5 - Duties of the Board of Directors. The duties of the Board of Directors shall be:

- A. To elect officers of the Board of Directors
- B. To hear and rule on any matters or disputes for which another procedure is not provided for in these bylaws.

#### ARTICLE VI - OFFICERS

Section 1 - Number. The officers of the corporation shall be the President, who shall also be known as and hold the position of NDHOA Referee-in-Chief, one (1) Vice-President, one (1) Secretary, and one (1) Treasurer.

Section 2 - Terms of Office. Each officer shall hold their elected position for a period of one (1) year and shall be eligible for reelection immediately.

Section 3 - Removal. Any Officer may be removed by a vote of six (6) or more of the voting members of the Board when the Board judges that the removal is in the best interest of the corporation.

Section 4 - Vacancies. Any vacancy in any office shall be filled by the Board of Directors for the unexpired portion of that term.

Section 5 - President (NDHOA Referee-in-Chief). The President shall be the chief executive officer of the corporation and shall, in general, supervise and control the business and affairs of the corporation. The President shall be responsible for all activities of officials with respect to training, rules, procedures, and conduct. The President shall be responsible for coordinating these activities with USA Hockey through the NDHOA District Supervisor of Officials. The President shall preside at all meetings, serve as ex-officio members of all committees, call special meetings of the corporation or Board of Directors that the President deems necessary and appoint committees as required by these bylaws or as the President deems necessary.

Section 6 - Vice President. In the absence of the President or the event of his inability or refusal to act, the Vice President shall perform the duties of the President and when so



acting shall have all the powers of the President. The Vice President shall have additional duties as assigned by the President.

Section 7 - Treasurer. The Treasurer shall have charge and custody of all the funds of the corporation. The Treasurer shall provide an annual report at the annual spring meeting and any other report deemed necessary by the President.

Section 8 - Secretary. The Secretary shall keep the minutes of all meetings, see that all notices are given in accordance with these bylaws, and shall perform all duties incident to the office of Secretary. The Secretary shall be the Chairman of the Registration Committee and an ex-officio member of the Ethics Committee.

Section 9 - Conflict of Interest. The Directors of the corporation shall not supervise, schedule, or participate on any Board of a district or league under the jurisdiction of NDAHA and shall not accept jobs or roles in his/her area of responsibility, except as on on-ice official, in order to avoid any possibility of a conflict of interest in the performance of his duties. Exceptions to this rule can be made upon two-thirds (2/3) vote of the NDHOA.

#### ARTICLE VII - STANDING COMMITTEES

Section 1 - General. The size of any committee in the succeeding section shall be the number shown, plus the President and any other ex-officio members. The Chair of each committee shall be a member of the Board of Directors.

Section 2 - Ethics Committee. The Ethics Committee will consist of three (3) members of the corporation. The committee is responsible for hearing and ruling matters of complaints regarding its members and taking appropriate action against any member for violation of these Bylaws or for conduct detrimental to amateur hockey while officiating or while engaged in any other activity.

Section 3 - Registration Committee. The Registration Committee shall be composed of the Secretary and one other member of the Board of Directors as appointed by the President. The committee shall be responsible for annual registration of officials of the corporation.

Section 4 Rules Committee. The Rules Committee shall consist of three (3) members of the corporation appointed annually by the President. The Rules Committee shall be responsible for all USA Hockey Rules and NDHOA bylaws interpretations, and to consider and introduce proposed changes to the bylaws of the corporation at the annual meeting or any special meeting.

Section 5 - Nomination Committee. The Nomination Committee shall consist of three (3) members of the Corporation appointed annually by the President. The Nomination



Committee shall be responsible for presenting slate of candidates for election as officers of the corporation and to accept nomination from the floor during the annual meeting.

#### ARTICLE VIII - SUSPENSIONS/APPEALS/COURT ACTIONS

Section 1 - Suspensions. The power to suspend any official shall be with the District Supervisor of Officials in accordance with the rules and regulations of the local associations, NDHOA bylaws, and the NDAHA. The Supervisor may suspend an official at any time pending a hearing as required by these bylaws. The Supervisor is vested with the authority to conduct a hearing. All parties involved in the incident and witnesses shall be given the opportunity to give their version of the facts. These suspensions may be in addition to any suspension prescribed by USA Hockey.

Section 2 - Appeals. Any appeal of a disputed case may be made to the Vice President for a period often (10) days following the hearing, held by a local Supervisor or District, or if a hearing has been refused. The Vice President shall hold a hearing within ten (10) days of receipt of the appeal, which must be in writing. Any decision of the Vice President may be appealed within ten (10) days to the Ethics Committee of the corporation, which must hold a hearing within ten (10) days of receiving the appeal. The Ethics Committee decision shall be final.

A. The Ethics Committee shall, at its option, use any of the following procedures in making its determination, to wit:

1. Hold a preliminary fact-finding meeting involving two (2) or more of the Ethics Committee members.
2. Use mail or conference calls as procedures involving the full committee to render either preliminary or final determinations of grievance.

B. Only two (2) representatives for each person, or local association making an appeal, in addition to two (2) association officials, if any, shall be permitted to appear before the local Supervisor, at an Ethics Committee meeting. Said representatives may, without a personal appearance, appear before the Ethics Committee, or any subdivision thereof, through written statements and letters only.

Section 3 - Recourse. Any recourse to the courts of any jurisdiction by any member or individual before all of the rights and remedies available under the Articles and by-laws of this association have been exhausted, shall be deemed Conduct detrimental to the best interest of hockey and therefore grounds for suspension or expulsion pursuant to the provisions of this Article.

#### ARTICLE IX - AMENDMENTS

Section 1 - Procedure. These bylaws may be amended or changed at the annual meeting or at any meeting of the general membership. Each proposed amendment must be submitted to the President who shall present it to the Rules Committee. The Rules



Committee shall decide whether or not to recommend its adoption at the next annual or special meeting. No amendment shall be eligible for presentation at a meeting unless it has been provided to the general membership thru NDAHA web page.

Section 2 - Adoption. The proposed amendment shall then be presented at the next annual meeting or special meeting whether with or without the Rules Committee recommendation. A vote of the majority of the eligible voters voting at the annual meeting shall be required to adopt the amendment.

#### ARTICLE X - PARLIAMENTARIAN

Section 1 - General. The Secretary shall act as a parliamentarian at all meetings and the corporation shall follow Robert's Rules of Order.

First Adoption: Saturday, May 14, 2006

- Bylaw Changes:
  - NDHOA Bylaws, all sections, Current wording; NDAHA, North Dakota Amateur Hockey Association, NDHOA or North Dakota Hockey Officials Association RIC or Referee in Chief. **Specific Wording of Proposal:** All changed to North Dakota (ND) Supervisor of Officials. Intention of Proposal: In Line with USA Hockey Annual Guide and NDAHA By-laws. Submitter: Rules Committee. Motion to accept changes 1<sup>st</sup> Tom Balzer, 2<sup>nd</sup> Barry Olson, all in favor, motion passed.
  - NDHOA Bylaws: Membership, article II, section 3: Current wording, page 1 Section 3- Registration Fees. Registration fees for all officials shall be \$10.00 per year for this corporation, plus any amount deemed necessary by the Board of Directors of the Corporation. **Specific wording of proposal:** Section 3 – Registration Fees shall be set by the Board of Directors of the Corporation. Intention of proposal: Clean up. Submitter; Rules Committee. Motion to accept changes, 1<sup>st</sup> Mike Schmitt, 2<sup>nd</sup> Tom Balzer, all in favor, motion passed
  - NDHOA Bylaws, Board of Directors, Article V, Section 4: Current wording, Section 4- Ex-Officio Members. The USA Hockey Referee in Chief and the USA Hockey Officiating Program Director shall not be an elected member on the Board of Directors under Section 2 of this article but shall be ex-officio member of the Board without voting rights. **Specific wording of Proposal:** Section 4 – Ex-Officio Members. The USA Hockey Referee in Chief, USA Hockey Officiating Program Director and NDAHA Liaison shall not be an elected member of the Board of Directors under Section 2 of this article



hout voting rights. In addition, the NDAHA Liaison must be approved by the NDHOA Board of Directors. Intention of Proposal: An open avenue for exchange of ideas between NDAHA and NDHOA.

Submitter; Rules Committee. Motion to accept changes, 1<sup>st</sup> Tom Balzer, 2<sup>nd</sup> Tom Mikelson, Discussion, Amendment, strike the last sentence to read: *The NDAHA Liaison will be appointed by the President of NDAHA and be approved by the NDHOA Board of Directors*, motion to accept amendment, 1<sup>st</sup> Tom Balzer, 2<sup>nd</sup> Tom Mikelson, all in favor, motion to accept amendment and changes, motion passed

- NDHOA Bylaws, Board of Directors, Article V, and Section 2 Paragraph 4: Current wording, The USA Hockey District RIC upon consolation with NDAHA President shall appoint the NDHOA RIC on odd-numbered years. **Specific wording of Proposal:** The USA Hockey District RIC shall appoint the ND Supervisor of Officials. Intention of Proposal: Bring it in line with the USA Annual Guide, "Duties and Responsibilities" Section XX Referee in Chief – D1. "His/Her duties shall be: Appoint local supervisors of officials. They shall carry out all of the duties of the referee-in-chief in the designed area prescribed by the district referee- in –chief." Page 225

Bring it in line with NDAHA by laws. Article VI (Directors), Section A (Board of Directors), Sub-Section 4 (Ex-Officio Directors), Sub-Section A (Selection).

"The program volunteers appointed by USA Hockey to these positions shall be the ND Supervisor of Officials, the ND Supervisor of Coaches, the ND Risk Manager, and the ND Sub-Register. Their selection is by appointment from USA Hockey...." Submitter: Rules Committee.

Motion to accept changes, 1<sup>st</sup> Tom Balzer, 2<sup>nd</sup> Barry Olson, all in favor, motion passed.

By –Law changes adapted Saturday, May 16, 2009