

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

## BYLAWS

**Initially adopted: July 29, 1954 - Adopted as Amended: November 2, 2022**

The North Dakota Amateur Hockey Association is a North Dakota nonprofit corporation whose initial incorporators and first Board of Directors were:

Homer Abbot	Grand Forks, North Dakota
Lloyd Armstrong	Fargo, North Dakota
Milford Graham	Devils Lake, North Dakota
Bill Jerome	Devils Lake, North Dakota
Prince Johnson	Grand Forks, North Dakota
Leon Potter	Grand Forks, North Dakota
Charles Stone	Williston, North Dakota

## ARTICLE I JURISDICTION

The North Dakota Amateur Hockey Association in affiliation with USA Hockey, Inc., the National Governing Body for the sport of amateur ice hockey, is authorized to regulate the sport of amateur ice hockey within the State of North Dakota as follows:

- A. To assess and charge a reasonable Affiliated Organization, Local Association, team, and/or individual fee for members within its jurisdiction in addition to the regular USA Hockey, Inc. fee; which fee(s) for the previous season shall be reported in writing to the Executive Director of USA Hockey, Inc. on or before May 1 of each year.
- B. To operate fundraising programs to support its functions as an Affiliate Association of USA Hockey, Inc., including a special charge on paid gate tournaments, games, or events sponsored by Affiliate, so long as such fundraising programs do not conflict with USA Hockey, Inc.'s sponsorship or licensing programs of which Affiliate is notified from time to time.
- C. To establish and collect a reasonable "travel permit" fee from members as a condition of certification that the member is eligible to compete outside the jurisdiction of Affiliate, which fee for the previous season shall be reported in writing to the Executive Director of USA Hockey, Inc. on or before May 1 of each year.
- D. To establish and adopt, subject to the prior written approval of the appropriate Council of USA Hockey, Inc., reasonable regulations governing eligibility of members for playoff competition leading to national tournaments of USA Hockey, Inc., including the establishment and collection of reasonable fees for such playoffs; such fees to be submitted for review at or before USA Hockey, Inc.'s Annual Meeting and such regulations to be submitted within 30 days thereafter.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

- E. To perform and/or provide certain other authorized services or functions to promote and regulate the play of the sport of amateur ice hockey as an Affiliate Association of USA Hockey, Inc.

## ARTICLE II USA HOCKEY PREEMINENCE

The North Dakota Amateur Hockey Association, (NDAHA), an Affiliate Association of USA Hockey, Inc., shall abide by and act in accord with the Articles of Incorporation, Bylaws, Rules and Regulations, Playing Rules, and decisions of the Board of Directors of USA Hockey, and such documents and decisions shall take precedence over and supersede all similar governing documents and/or decisions of NDAHA. Further, NDAHA (i) shall assist USA Hockey in the administration and enforcement of the provisions of the Bylaws, Rules and Regulations, Playing Rules, and decisions of the Board of Directors of USA Hockey, within and upon its members and/or within its jurisdiction, and (ii) agrees to be guided by the following core values of USA Hockey, Inc.:

**SPORTSMANSHIP** – Foremost of all values is to learn a sense of fair play. Become humble in victory, gracious in defeat. We will foster friendship with teammates and opponents alike.

**RESPECT** – For the individual, treating all others as you expect to be treated.

**INTEGRITY** – We seek to foster honesty and fair play beyond mere strict interpretation of the rules and regulations of the game.

**PURSUIT OF EXCELLENCE AT THE INDIVIDUAL, TEAM, & ORGANIZATIONAL LEVELS** – Each member of the organization, whether player, volunteer, or staff, should seek to perform each aspect of the game to the highest level of his or her ability.

**ENJOYMENT** – It is important for the hockey experience to be fun, satisfying, and rewarding for the participant.

**LOYALTY** – We aspire to teach loyalty to the ideals and fellow members of the sport of hockey.

**TEAMWORK** – We value the strength of learning to work together. The use of teamwork is reinforced and rewarded by success in the hockey experience.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

## ARTICLE III INDEMNITY

The North Dakota Hockey Association, an Affiliate Association of USA Hockey, Inc., shall indemnify and hold harmless USA Hockey, the Board of Directors of USA Hockey and each member thereof, the Executive Committee of USA Hockey and each member thereof, Councils and Committees of USA Hockey and each member thereof, and all other elected, appointed, employed, or volunteer representatives of USA Hockey from any and all claims, liability, judgments, costs, attorney's fees, charges, and expenses whatsoever arising from the acts and omissions of North Dakota Amateur Hockey Association, except to the extent (i) that USA Hockey or its afore described representatives cause such claims, liability, judgments, costs, attorney's fees, charges, or expenses by their own intentional neglect or default of or (ii) that such acts or omissions were a direct result of compliance with the Articles of Incorporation, Bylaws, Rules and Regulations, Playing Rules, or decisions of the Board of Directors of USA Hockey. Further, the North Dakota Amateur Hockey Association understands and acknowledges that USA Hockey and its aforescribed representatives have assumed such assignment, function, office, or capacity upon the express understanding, agreement, and condition that they be so indemnified and held harmless to the extent described in this bylaw.

## ARTICLE IV MEMBERSHIP

**DEFINITION** – The membership in the North Dakota Amateur Hockey Association is defined as any USA Hockey, Inc. registered participant that is also a member of an Affiliated Organization that is registered and in good standing with the NDAHA and USA Hockey, Inc.

**FORFEITURE AND SUSPENSION** – Members shall be subject to forfeiture and/or suspension of membership in the event of a failure to comply with any of the requirements of the Bylaws, and Rules and Regulations of the NDAHA and USA Hockey, Inc., or the Decisions of the Board of Directors of the NDAHA or USA Hockey, Inc. as proscribed by the current Affiliate Agreement of the NDAHA or USA Hockey, Inc.

**CONFLICT OF INTEREST** – Members of the Board of Directors shall not engage in any activity that violates their duty of loyalty to NDAHA and presents a conflict of interest in their position with NDAHA without disclosing their involvement in such activity to the President of NDAHA, Board of Directors, Committee, or District as appropriate. A conflict of interest exists when an individual's actions and/or relationships present the potential for improper personal gain or advantage or an adverse effect on the interest of NDAHA as a result of the individual's position in NDAHA.

## ARTICLE V VOTING

Each USA Hockey registered participant (coach and player), as of December 31, of a NDAHA Affiliate Organization shall be entitled to one vote per paid participant at annual or special meetings of the NDAHA. The NDAHA Affiliate Representative is defined as that individual designated to the Secretary of the NDAHA by the Affiliate Organization to represent

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

issues and to cast votes equal to the number of USA Hockey/NDAHA registered participants in that Affiliate Organization. The NDAHA Affiliate Representative of each registered participant shall be designated on their official NDAHA Affiliate web page. There shall be no cumulative or proxy voting allowed at NDAHA meetings at the level of the NDAHA Affiliate Representative. Affiliate Organizations may designate in writing another person from their organization to attend and vote at any NDAHA meeting, if the previously designated Affiliate Representative is unavailable or unable to attend said meeting.

## ARTICLE VI DIRECTORS

**A. BOARD OF DIRECTORS** – The governing and management of this corporation shall be vested in its Board of Directors. Unless specifically authorized by the Board of Directors or the Executive Committee, no Board Member shall represent to other persons, teams, leagues, associations, or any other USA Hockey, Inc. Affiliate that he/she is speaking on behalf of NDAHA or that his/her opinion is the official position of NDAHA. Decisions or commitments that could reasonably be expected to impose upon NDAHA any financial obligation, unless otherwise noted herein, legal liability, or harm to its reputation or standing in the hockey community must be made or approved by the Board of Directors. Each Member, Officer, and Director shall complete SafeSport training and background check by or before the date the Member, Officer, or Director assumes office, and shall complete annually or bi-annually thereafter as required. The Board of Directors shall consist of the District Directors, Officer Directors, and any additional non-voting members as authorized and shall be constituted as follows:

**1. DISTRICT DIRECTORS** – Directors selected under this paragraph are referred to as “District Directors”. They are to be elected within the four (4) geographic districts known as Northeast, Northwest, Southeast, and Southwest, and whose boundaries shall be determined by the Board of Directors. There shall be two (2) District Directors elected in each district, and the District Directors shall be voting members of the Board of Directors. Each district shall be under the supervision of the President of NDAHA. Each district shall be entitled to not more than two Directors with one exception; a district with 2,000 members or more shall have one (1) additional District Director for said district. Election of this additional District Director shall be in the same manner as all other District Directors. This additional Director shall serve a three-year term with the same commencement and end dates as described below. This additional Director shall be granted all duties, rights, and privileges of a District Director.

- a. ELECTION** – The District Directors shall be elected through an election by the affiliates in that district pursuant to Article V. District Directors should reside in the district he or she represents. If there is not a candidate that resides within the geographical region, the President of NDAHA shall appoint a suitable candidate. The elections for those eligible District Director positions shall be held before the NDAHA Annual Spring Meeting.
- b. TERM OF OFFICE** – The term of office of each District Director shall be for three (3) years and shall commence on September 1 after election and end August 31 at the end of the third year of said term.



# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

2. **DUTIES** – It shall be the duty of the Youth League Director to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
- d. **DISABLED HOCKEY DIRECTOR** – Disabled Hockey teams shall be entitled to one Director. The Director shall be appointed by NDAHA Board of Directors. This position shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.
1. **TERM OF OFFICE** – The term of office for Disabled Hockey Director shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.
  2. **DUTIES** – It shall be the duty of the Disabled Hockey Director to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
- e. **PLAYER DEVELOPMENT DIRECTOR** – Player Development Director shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.
1. **TERM OF OFFICE** – The term of office for Player Development Director shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.
  2. **DUTIES** – It shall be the duty of the Player Development Director to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
- f. **DISCIPLINE DIRECTOR** – Discipline Director shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.
1. **TERM OF OFFICE** – The term of office for Discipline Director shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.
  2. **DUTIES** – It shall be the duty of the Discipline Director to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

President of NDAHA.

- g. REGISTRAR** – Registrar is nominated by NDAHA Board of Directors, then appointed by USA Hockey and shall be a non-voting Director.

  - 1. TERM OF OFFICE** – The term of office for Registrar shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be renominated by NDAHA Board of Directors.
  - 2. DUTIES** – It shall be the duty of the Registrar to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
  
- h. SAFESPORT COORDINATOR** – SafeSport Coordinator is nominated by NDAHA Board of Directors, then appointed by USA Hockey and shall be a non-voting Director.

  - 1. TERM OF OFFICE** – The term of office for SafeSport Coordinator shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be renominated by the Board of Directors.
  - 2. DUTIES** – It shall be the duty of the SafeSport Coordinator to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
  
- i. GROWTH COORDINATOR** – Growth Coordinator shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.

  - 1. TERM OF OFFICE** – The term of office for Growth Coordinator shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.
  - 2. DUTIES** – It shall be the duty of the Growth Coordinator to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.
  
- j. STATE REFEREE IN CHIEF** – State Referee in Chief shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate and/or the NDAHA Referee Association prior to appointing this position.

  - 1. TERM OF OFFICE** – The term of office for State Referee in Chief shall

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.

2. **DUTIES** – It shall be the duty of the State Referee in Chief to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.

- k. **STATE COACH IN CHIEF** – State Coach in Chief shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.

1. **TERM OF OFFICE** – The term of office for State Coach in Chief shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.

2. **DUTIES** – It shall be the duty of the State Coach in Chief to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.

- l. **DIVERSITY & INCLUSION ADVISOR** – Diversity & Inclusion Advisor shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.

1. **TERM OF OFFICE** – The term of office for Diversity & Inclusion Advisor shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.

2. **DUTIES** – It shall be the duty of the Diversity & Inclusion Advisor to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.

- m. **RISK MANAGER** – Risk Manager is nominated by NDAHA Board of Directors, then appointed by USA Hockey and shall be a non-voting Director.

1. **TERM OF OFFICE** – The term of office for Risk Manager shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be renominated by NDAHA Board of Directors.

2. **DUTIES** – It shall be the duty of the Risk Manager to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section,



# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

and to perform such other duties as shall be assigned by the President of NDAHA.

**n. WEBMASTER** – Webmaster shall be an appointed member of the Board of Directors and shall be a non-voting Director. Board of Directors may receive recommendations from any affiliate prior to appointing this position.

**1. TERM OF OFFICE** – The term of office for Webmaster shall be for three (3) years and shall commence on September 1 after appointment and end August 31 at the end of the third year of said term, at which time he or she may be reappointed by NDAHA Board of Directors.

**2. DUTIES** – It shall be the duty of the Webmaster to organize, supervise, and enforce the rules and regulations of NDAHA within his or her section, and to perform such other duties as shall be assigned by the President of NDAHA.

**3. OFFICER DIRECTORS** – The elected officers of the NDAHA shall be known as “Officer Directors” and shall have voting rights on the Board of Directors by their election to these offices. They shall be designated as President, Vice-President, Secretary, and Treasurer.

**a. ELECTION** – Officers may be elected from the membership or any adult resident of North Dakota. The President, Vice President, Secretary, and Treasurer shall be elected by NDAHA District Directors. Separate elections shall be held for each open position, with the successful candidate being the person receiving at least a simple majority of the votes cast. If a simple majority is not reached, the candidate receiving the least votes shall be dropped and the position re-voted. The officers shall have such powers and duties as prescribed herein, and those stated in the North Dakota Century Code.

**b. TERM OF OFFICE** – The term of office of each Officer shall be for three (3) years and shall commence on September 1 after election and end August 31 at the end of the third year of said term.

**c. DUTIES**

**1. President** – The President shall be the chief executive officer of NDAHA and shall in general supervise and control all the business and affairs of the Association. He or she shall preside at all meetings of the association Board of Directors, serve as an ex-officio member of all committees, sign, with the Secretary or any other proper Officer of NDAHA thereunto authorized by the Board of Directors, any bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other agent or Officer of NDAHA, or shall be required by law to be otherwise signed or executed, and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time. The President shall have discretion in an amount up to \$1,000 for purchases or expenses on behalf of or for the benefit of

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

NDAHA; however, the President shall communicate these discretionary purchases to the Executive Committee within a reasonable time before or after said purchase(s). The President or his or her designee shall represent NDAHA and association in meetings with other ice hockey associations and USA Hockey, Inc. In addition to the power conferred by North Dakota Century Code, NDAHA Articles of Incorporation, and NDAHA Bylaws, the President shall exercise the powers of the Board in cases of emergency where it is not possible to obtain a Board of Directors or Executive Committee vote. The President or appointed designee(s) shall have the power to adjust any matters pertaining to NDAHA activities which are in the best interest of NDAHA and shall perform those acts in the public realm that are deemed necessary for the best interest of NDAHA and its affiliates.

- 2. Vice President** – In the absence of the President, or, in the event of his or her 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 and subject to all the restrictions placed upon the President. The Vice President shall also perform special assignments deemed necessary by the President and/or the Executive Committee, shall be the chairperson of a committee appointed by the President and/or the Executive Committee, attend all meetings necessary to the role of Vice President and President of NDAHA, or deemed necessary by the President and/or Executive Committee.
- 3. Secretary** – The Secretary shall keep minutes of the meetings of the membership and the Board of Directors, see that all notices are duly given in accordance with the provisions of these Bylaws or as required by Law, be custodian of the corporate records and documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with provisions of these Bylaws, and keep a register of the post office address of each member. The Secretary should be knowledgeable of the organization's records, Bylaws, and other applicable rules and regulations, and other related materials, and should be able to provide advice and resources to the Board of Directors on relevant topics at issue. The Secretary shall also perform any other duties relevant and assigned by the President and/or the Executive Committee.
- 4. Treasurer** – The Treasurer shall have charge and custody of, and be responsible for, funds and securities of NDAHA, receive and give receipts for monies due and payable to NDAHA from any source whatsoever, and deposit all such monies in the name of the NDAHA in such banks, trust companies, and other insured depositories as shall be selected in accordance with these Bylaws, and in general perform all duties incident to the office and such other duties as time to time may be assigned to him or her by the President and Board of Directors. The Treasurer shall submit a written report regarding the financial affairs of NDAHA to the annual meetings of both the Membership and Directors, including all financial activities since the previous annual meetings, and a proposed budget for the following fiscal year.

- 4. EX-OFFICIO DIRECTORS** – Program volunteer appointees and elected National

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

Directors of USA Hockey, Inc., as well as the Director of Player Development approved by NDAHA Board, shall hold positions known as “Ex-Officio Directors”. There shall be up to six (6) Directors in this category, and they shall be non-voting members of NDAHA Board of Directors.

- a. SELECTION** – The program volunteers appointed by USA Hockey, Inc. to hold these positions shall be the ND Supervisor of Officials, the ND Supervisor of Coaches, the ND Risk Manager, and the ND Sub-Registrar. Their selection is by appointment from USA Hockey, Inc. The USA Director position is appointed to the NDAHA Board by virtue of the Northern Plains District election of a resident ND candidate. The Director of Player Development position is by nomination by the NDAHA President, with ratification by a simple majority of the NDAHA Board.
  - b. TERM OF OFFICE** – The term of office for the Ex-Officio Directors shall be for as long as they hold their USA Hockey, Inc. position and the NDAHA Director of Player Development position.
  - c. VACANCY** – A vacancy shall be assumed by the successor appointee or the elected USA Hockey, Inc. District Director if applicable.
  - d. DUTIES** – It shall be the duty of these non-voting Directors to provide direction and supervision of their program areas, as well as participate in discussion and communication with the NDAHA Board of Directors. They may also perform such other duties as directed by the President of NDAHA or the NDAHA Board of Directors.
- 5. DIRECTORS EMERITUS** – The Board of Directors shall have the authority to appoint one or more persons to the position of “Director Emeritus” in recognition of distinguished and lengthy service to this Association. This shall be a non-voting Director.
  - a. QUALIFICATIONS:** A candidate for Director Emeritus cannot be a current voting Board Member. In the case of an outgoing Board Member, the Board Member will serve out the remaining portion of his or her term and begin the Director Emeritus term effective September 1 following the expiration of the Board Member’s term. A candidate for Director Emeritus must be actively involved and make significant contributions to NDAHA, actively takes part in discussions, and attends meetings.
  - b. ELECTION** – Any currently sitting Board Member may nominate a Director Emeritus candidate. A 2/3 of the votes cast at a regularly called and convened meeting of the Board of Directors are required for election of a Director Emeritus. Director Emeritus shall be subject to all Board policies, procedures, conflict of interest provisions, SafeSport, and background checks.
  - c. TERM OF OFFICE** – The term of office for a Director Emeritus may be for life unless otherwise removed or upon resignation or death.
  - d. INACTIVE STATUS** – A Director Emeritus may be placed in Inactive Status if

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

after one year of no involvement or participation by the Director Emeritus. The Board of Directors can place a Director Emeritus in Inactive Status with a 2/3 vote. An Inactive Director Emeritus can be returned to Active Status with a similar 2/3 vote of the Board of Directors. Active Director Emeritus will be listed on the Board Members webpage of NDAHA website and are entitled to all rights and privileges of other Board of Directors, with the exception of voting.

e. **DUTIES** – It shall be the right of the Director Emeritus to attend meetings of the Board of Directors. They shall be a non-voting member of the Board of Directors, but in all respects shall be entitled to all rights, privileges, duties, and responsibilities of the other Board members.

**6. REMOVAL OF OFFICERS AND DIRECTORS** – Any officer or Director, whether voting or non-voting, may be removed from office by a 2/3 vote of the entire Board of Directors at any regularly scheduled meeting or at a meeting called for that purpose, with 30 days written notice to the person(s) subject to removal. Further, the expectation of NDAHA is that all Officers and Directors attend all monthly meetings (i.e. fall, winter, spring, and any special meetings), whether by telephone, zoom, or in-person, which may be directed by the President of NDAHA. The expectation is to be present and participate to further the purpose and goals of NDAHA, therefore several absences by an Officer or Director may be grounds for his or her removal.

**7. VACANCIES; BOARD ELECTED POSITIONS** – Should there be a vacancy for a board-elected position, said vacancy shall be filled for the unexpired term by appointment by the President and vote by simple majority of the remaining Board of Directors at a regularly scheduled meeting or special meeting called for that purpose.

**8. VACANCIES; MEMBER-ELECTED POSITIONS** – Should there be a vacancy for a member-elected position, the district with the vacancy shall notify NDAHA of said vacancy, and the Nominating Committee shall select a District Director from each district, which will make up the Member-Elected Nominating Committee. The Nominating Committee shall then solicit candidates and notify all current Board of Directors of the candidates that have been identified. If no suitable candidate(s) have been identified, the President will fill the vacancy by appointment. If there are suitable candidate(s), the President shall call a special meeting to vote on a Member-Elected Position to fill the vacancy. The Member-Elected Position will be elected by a simple majority of the Board of Directors.

## 9. ELECTION YEARS

President	Vice President	Secretary	Treasure	Youth Leagues Director	Girls/Women Section Director	Jr Gold Section Director	District Director	District Director
2017	2018	2018	2017	2017	2017	2017	2017	2018
2020	2021	2021	2020	2020	2020	2020	2020	2021
2023	2024	2024	2023	2023	2023	2023	2023	2024
2026	2027	2027	2026	2026	2026	2026	2026	2027

**10. ELECTION RULES AND PROCEDURE** – The following procedures shall be followed

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

for regular elections of Member-Elected and Board-Elected positions:

- a. Not less than two months prior to any regularly scheduled NDAHA election, the President shall appoint a Nominating Committee, which shall consist of current Board of Directors. Individuals interested in being a candidate in an upcoming NDAHA election shall notify the Nominating Committee prior to the Spring district meeting. The Nominating Committee shall record contact information for interested candidates, and the date individuals expressed interest.
- b. The Nominating Committee shall notify all current Board of Directors of the candidates that have been identified prior to the Spring District Meeting for the district. The information shall also be posted on the NDAHA website. If the two-weeks' prior notice indicates that there is at least one identified candidate for a position, any additional individuals interested in being a candidate for that position must be nominated from the floor at the time of the election. In the event that no candidate has been elected for a position, the President has the power of appointment to fill the position.
- c. The District Director positions are elected at the conclusion of the Spring District Meeting for the district.
- d. The President, Vice President, Secretary, and Treasurer positions are elected at the Annual Spring Affiliate Meeting by the current NDAHA District Directors.

## ARTICLE VII VOTE OF DIRECTORS

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors. Prior to acting on any agenda items, the President of NDAHA shall announce the number of the Directors present, and the number of votes necessary to pass an issue requiring over 50% (simple majority), 66.7% (2/3's majority), and 75% (3/4's majority). Directors shall not be allowed to vote on board actions if they are representing a local affiliate at said meeting. It shall be noted that abstention votes by any Director present will be recorded with the majority vote on that issue. Further, any proposal(s) made at a properly convened NDAHA Community Representative meeting that is passed by a three-fourths (75%) majority vote of the Community votes cast, that is thereafter denied by the Board of Directors, said proposal shall be returned to the agenda of the next NDAHA Community Representative meeting for information and possible reconsideration to the Board of Directors.

## ARTICLE VIII COMMITTEES

- A. **EXECUTIVE COMMITTEE** – Any resident of the State of North Dakota is eligible to be a member of the Executive Committee, except that a person who is employed full time by an affiliate within NDAHA cannot be a member of the executive committee. The Officers of this corporation shall be the President, Vice President, Secretary, and Treasurer. These four (4) individuals shall have such authority to conduct business for the Board of Directors between meetings as needed to pursue the implementation and operation of programs as

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

directed by the Board of Directors.

- B. **OTHER COMMITTEES** – The President shall have the right to require the formation of committees to handle various aspects of NDAHA activities and operations. At minimum, for each committee, the President shall appoint a chairperson(s) and the Committee and chairperson(s) shall be listed on the NDAHA website. Committees shall meet and discuss matters under their purview on an as-needed basis. In general, committees are responsible to review, discuss, make reports to the Board on its respective activity, and make requests for official Board action as may be required or recommended. The President may assign certain items to the entire Board of Directors, in which case the Board acts as a committee of the whole.

## ARTICLE IX MEETINGS

- A. **PROCEDURE** - Meetings shall be duly called and convened by the President of NDAHA according to these Bylaws.
- B. **SUBMITTING PROPOSALS** – Proposals to be added to the agenda for the Annual Board of Directors meeting must be presented in writing to either the Secretary of NDAHA or the Chairperson of the Rules and Regulations Committee (RRC) emailed or postmarked no later than March 1<sup>st</sup> of each year. Items submitted must include the specific wording of the proposal change, addition, or deletion. The Secretary and/or RRC Chairperson will not accept items submitted without the specific proposal. A member of the RRC and/or Secretary of NDAHA will organize proposals received and email the consolidated set of proposals to all NDAHA Board members by the close of business the third Tuesday in March. The Secretary of NDAHA or the RRC Chairperson will email a final set of proposals for consideration to all board members by close of business on the fourth Tuesday in March. Affiliates will have from the end of March thru mid-April to meet and discuss the proposals.
- C. **WITHDRAWING PROPOSALS** – Any author choosing to withdraw their proposal from consideration at the Annual meeting may do so by written/email consent to withdraw the proposal to the RRC Chairperson or the NDAHA Secretary.
- D. **VOTING ON PROPOSALS** – The four (4) NDAHA Districts must hold meetings with Affiliates, to vote on said proposals, and submit voting results to NDAHA Secretary no later than April 15. Affiliates will vote on each proposal using its registered participant votes. NDAHA Secretary with assistance of the RRC Chairperson will tabulate all votes from the four (4) Districts, and use the following standards to categorize any proposal for the final agenda:
1. If total votes are 65% or over to pass (35% or under to defeat), then said proposal is automatically passed (defeated), and will not be brought to the floor for discussion and voting at the Spring Meeting.
  2. If total votes fall within 34-64%, then said proposal will be placed on the final agenda for discussion and voting at the Spring Meeting.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

3. Any proposal(s) which votes are 65% or over to pass (35% or under to defeat) and is asked to be brought to the floor for discussion at the Spring Meeting, may be brought to the floor with a motion, a second, and a simple majority of the affiliates.
4. Proposals that are at 65% or over (pass), or at 35% and under (defeat), will be voted on by the Board of Directors as a block of proposals, either to pass or defeat. Any proposal that falls in between 34% and 64% will be discussed, and voted on, by the Affiliates to pass or defeat. After said Affiliate vote is taken, the full Board of Directors will vote proposals that received between 36%-64% approval.
5. After thirty (30) days prior to any meeting, any additional items that are to receive consideration by the Board of Directors must receive seventy-five percent (75%) approval of the Directors present at the meeting in order to be placed on the agenda for that meeting.

## E. MEETING CATEGORIES

1. **ANNUAL MEMBERSHIP MEETING** – The annual meeting of the membership of NDAHA shall be generally held on a Saturday in the months of April or May at a date, time, and location designated by NDAHA President. The notice and agenda of the annual meeting shall be given to members no later than fifteen (15) days in advance of said meeting. The quorum necessary to conduct business at the annual meeting of the Association shall be fifty-one percent (51%) of the registered membership.
2. **ANNUAL BOARD OF DIRECTORS MEETING** – The annual meeting of the Board of Directors shall be held in conjunction with the annual membership meeting in the months of April or May at a date, time, and location designated by NDAHA President. The quorum necessary to conduct business at any meeting of the Board of Directors shall be fifty-one percent (51%) of the Directors authorized by these Bylaws. Notice of the meeting and agenda shall be given to the Directors no later than fifteen (15) days in advance of any properly called meeting of the Board of Directors.
3. **SPECIAL MEETINGS** – Special meetings of the membership or Board of Directors may be called by the President of NDAHA or at the request of a majority of the Board of Directors. Notice of any special meeting shall be given by written notice delivered personally, mail, telephone, telegraph, or electronic communications through the use of internet e-mail at least twenty-four (24) hours prior to the scheduled special meeting. Any Director may waive notice of any meeting, and attendance of a Director at any meeting shall constitute a waiver of notice of such meeting.
4. **ELECTRONIC MEDIA MEETINGS** – The President may elect to use electronic means of convening a meeting if required by emergency or in the interest of time and expense to the Association. Such media may include, but not be limited to, use of the Internet, Inter-Video Network, and telecommunications equipment. Use of such media shall be dependent upon access to the technology by the Board of Directors to be in attendance, and their ability to interact appropriately.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

## ARTICLE X TAX EXEMPT STATUS

The NDAHA shall at all times maintain its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of the United States.

## ARTICLE XI INTERNATIONAL COMPETITION

U.S. teams desiring to travel to and play in International competition must receive approval as required by USA Hockey, Inc. NDAHA approval will be given if the requesting team is properly registered and the Affiliate Member, whose team submits the request, is in good standing with the NDAHA.

## ARTICLE XII POLICIES

The policies in this article are subject to any contrary requirements in North Dakota state law or local law applicable to the NDAHA Affiliate. Current policies are:

- A. **ANTI-DISCRIMINATION POLICY** – It is the policy of the NDAHA to provide an equal opportunity to all amateur athletes, coaches, and officials to participate in competition without discrimination on the basis of race, color, religion, sex, national origin, age (40 or older), disability, and genetic information. The NDAHA will take all the necessary steps to comply with this policy.
- B. **SEXUAL ABUSE POLICY** – It is the policy of the NDAHA that there shall be no sexual abuse of any minor participant involved in any of its sanctioned programs, its training camps, hockey clinics, coach's clinics, invitational or NDAHA playoff tournaments, or other NDAHA events by an employee, volunteer, or independent contractor. Sexual abuse of a minor participant occurs when an employee, volunteer, or independent contractor touches a minor participant for the purpose of causing the sexual arousal or gratification of either the minor participant or the employee, volunteer, or independent contractor. Sexual abuse of a minor participant also occurs when a minor player touches an employee, volunteer, or independent contractor for the sexual arousal or sexual gratification of either the minor participant or the employee, volunteer, or independent contractor, if the touching occurs at the request or with the consent of the employee, volunteer, or independent contractor. Neither consent of the player to the sexual contact, mistake as to the participant's age, nor the fact that the sexual contact did not take place at a hockey function are defenses to a complaint of sexual abuse. Upon proof of violation of this policy, the violator will be permanently banned or suspended from any NDAHA sanctioned programs and/or the programs of its Affiliate Associations.
- C. **SCREENING POLICY** – It is the policy of the NDAHA that it will not authorize nor sanction in programs that it directly controls any volunteer or employee who has routine access to children (anyone under the age of majority) who refuses to consent to be screened



# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

by the NDAHA before he/she is allowed to have routine access to children in the NDAHA programs. Further, it is the policy of the NDAHA that it will require its Affiliate Associations to adopt this policy as a condition of its affiliation with the NDAHA. A person may be disqualified and prohibited from serving as an employee or volunteer of the NDAHA if the person has:

1. Been convicted (including crimes the record of which has been expunged and pleas of no contest) of a crime of child abuse, sexual abuse of a minor, physical abuse, causing a child's death, neglect of a child, murder, manslaughter, felony assault, any assault against a minor, kidnapping, arson, criminal sexual conduct, prostitution related crimes, or controlled substance crimes.
2. Being adjudged liable for civil penalties or damages involving sexual or physical abuse of children.
3. Being subject to any court order involving any sexual abuse or physical abuse of a minor, including, but not limited to, domestic order or protection orders.
4. Had their parental rights terminated.
5. A history with another organization (volunteer, employment, etc.) of complaints of sexual or physical abuse of minors.
6. Resigned, been terminated, or been asked to resign from a position, whether paid or unpaid, due to complaints of sexual or physical abuse of minors.
7. Has a history of other behavior that indicated they might be a danger to children in the NDAHA.

**D. PHYSICAL ABUSE POLICY** – It is the policy of the NDAHA that there shall be no physical abuse of any participant involved in any of its sanctioned programs, training camps, hockey clinics, coach's clinics, referee clinics, invitational or NDAHA playoff tournaments, or other NDAHA events by any employee, volunteer, or independent contractor. Physical abuse means physical contact with a participant that intentionally causes the participant to sustain bodily harm or personal injury. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury. Physical abuse does not include physical contact that is reasonably designed to coach, teach, or demonstrate a hockey skill. Permitted physical conduct may include, but is not necessarily limited to, shooting pucks at a goaltender, demonstrating checking and other hockey skills, and communicating with or directing participants, during the course of a game or practice, by touching them in a non- threatening, non-sexual manner.

**E. REPORTING OF CONCERNS OR COMPLAINTS** – It is the responsibility of all board members and volunteers to comply with NDAHA By Laws, Rules and Regulations, policies and applicable law and to report violations or suspected violations in accordance with this whistleblower policy.

**F. CONFIDENTIALITY** – NDAHA will treat communication under this policy in a confidential manner, except to the extent necessary to conduct a complete and fair investigation.

**G. RETALIATION** – NDAHA will not permit any negative nor adverse actions to be taken against any individual for making a good faith report of a possible violation of its Bi Laws, Rules and Regulations, policies, or applicable law, even if the report is mistaken, or against any individual who assists in the investigation of a reported violation. Retaliation in any

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

form will not be tolerated. Any act of alleged retaliation should be reported immediately and will promptly investigated. Anyone who retaliates against someone who has reported a violation in good faith is subject to discipline up to including expulsion from the organization. This whistleblower policy is intended to encourage and enable individuals to raise serious concerns within NDAHA prior to seeking resolution outside the organization.

- H. **HOW TO REPORT CONCERNS OR COMPLAINTS** – A complaining individual may communicate suspected violations of its By Laws, Rules and Regulations, policies, applicable law or other wrongdoing or alleged retaliation by contacting the NDAHA Chair of the Discipline Committee.

## ARTICLE XIII SUSPENSIONS AND FORFEITURES

- A. **SUSPENSIONS** – Members shall be subject to forfeiture and/or suspension of membership in the event of a failure to comply with any of the requirements of the Bylaws, and Rules and Regulations of the NDAHA and USA Hockey, Inc., or the decisions of the Board of Directors of the NDAHA or USA Hockey, Inc. as proscribed by the current Local Affiliate Agreement of the NDAHA or the current Affiliate Agreement of USA Hockey, Inc.. Suspension as used in these Bylaws means that the individual player, coach, team representative or entire team organization will be prohibited from participating in the hockey activities governed by the suspending authority. The exact penalty, length, and extent of the suspension shall be determined by the appropriate suspending authority. Accordingly, any individual or organization that has been suspended shall have the right to appeal the suspension to the next higher authority as outlined in the NDAHA Bylaws Article XIV, Disputes and Appeals. If further appeals are authorized and made to USA Hockey, Inc., the procedure to follow shall be as outlined in Article 10. Resolution of Disputes, Arbitration, and Suspensions of the USA Hockey, Inc. Annual Guide.

## ARTICLE XIV DISPUTES AND APPEALS

- B. **DISPUTES** – Any team, league, or local hockey organization/association may protest a ruling, a decision, or some act causing a disagreement. They may also appeal a ruling or decision of a controversy, argument, or dispute. Protests must be presented at the time of the controversy, and not later than five (5) days after the controversy by the protesting team, league, or local organization. A written protest must follow the verbal protest if a decision to the verbal protest is not made. No protest involving league games may be submitted for arbitration after the organization's state tournament has commenced.
- C. **APPEALS** – An appeal by any hockey team representative or official shall be submitted, in writing, within five (5) days of the alleged complaint, with a written report from individuals involved in the incident, to the reviewing authority of the NDAHA. For officiating appeals, the sequence of appeal authority shall be District Referee-in-Chief, then NDAHA Referee-in-Chief, then NDAHA Executive Committee, then the NDAHA Board of Directors. For non-officiating appeals, the sequence of filing for appeals shall be the League Secretary, then the NDAHA Executive Committee, then the NDAHA Board of Directors.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

## Procedure Time Intervals:

1. Protest or appeal must be submitted in writing to the initial reviewing authority within five (5) days from the date of the incident.
2. Only two (2) representatives of the team/organization making an appeal, in addition to two (2) league officials, shall be permitted to appear and present the appeal to any reviewing authority.
3. Written documents of the incident must be itemized and complete. Names, dates, places, etc. must be accurate. Witnesses with verbal testimony may be permitted.
  - a. After receipt of the appeal, the reviewing authority has ten (10) days to conduct a hearing and render a decision, in writing, to the author of the appeal.
  - b. Appeal to the Executive Committee must be made, in writing, within five (5) days of receipt of the decision from the reviewing authority.
  - c. The Executive Committee must conduct a hearing and render a decision, in writing, within fifteen (15) days of receipt of the appeal, and only information presented in the original hearing decision may be accepted for review in this appeal.
  - d. An appeal of the Executive Committee decision must be made, in writing, within five (5) days of receipt of the decision to the Board of Directors of the NDAHA through the Secretary of the NDAHA.
  - e. The Board of Directors must conduct a hearing and render a decision, in writing, to the author of the appeal within twenty (20) days of receipt of the appeal. This decision of the Board of Directors is final unless the protest/appeal is submitted to the USA Hockey, Inc. level and then the USA Hockey, Inc. decision will be authoritative.

## **ARTICLE XV AMENDMENTS**

The power to alter, amend, repeal the Bylaws, or adopt new Bylaws, and to adopt, amend, or repeal the Rules and Regulations, shall be vested in the Board of Directors. Notice of proposed changes in the Bylaws and proposals to adopt or amend the Rules and Regulations shall be distributed to Directors at least fifteen (15) days prior to the meeting at which they are to be presented to the Board of Directors for consideration. Changes in the Bylaws shall require the approval of two-thirds (66.7%) of all the Directors authorized by these Bylaws. Changes to the Rules and Regulations shall require the approval of a simple majority (over 50%) of the Directors present at that properly convened meeting. Amendments and changes to these Bylaws will become active and enforceable immediately upon their approval by the Board of Directors.

## **ARTICLE XVI HALL OF FAME AWARD/COMMITTEE**

- A. **INTRODUCTION** – The intent of the North Dakota Hockey Hall of Fame is to honor and recognize those individuals who have played a significant role in the growth, retention, and development of Hockey in the state of North Dakota.

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

- B. HALL OF FAME COMMITTEE** – The NDAHA Hall of Fame Committee shall be under the jurisdiction of the NDAHA Board of Directors. NDAHA Hall of Fame Committee should consist of five members with the Committee Chair being appointed by the NDAHA President. This appointment would be for a three-year period. the remaining four Hall of Fame Committee Members shall be appointed from the District Directors from each of the four NDAHA Districts. Each District shall have one representative on the Hall of Fame Committee and shall serve for a three-year period. The individuals on the Committee shall be non-voting members of NDAHA Board of Directors. A 3/5 majority of the committee constitutes a quorum at meetings. All Hall of Fame Committee Meetings shall be governed by Roberts Rules of Order. The committee shall meet either in person or via Zoom each fall prior to the NDAHA Fall Board of Directors Meeting to review submissions. The Hall of Fame Committee Chair shall set and run all Hall of Fame Committee Meetings. The Hall of Fame Committee will accept all nominations, review all nominations, and recommend all nominations to the NDAHA Board of Directors for their review and vote of each candidate.
- C. HALL OF FAME QUALIFICATIONS** – Inductees to the North Dakota Hockey Hall of Fame shall be those individuals whose actions, deeds, good works, and character exhibit exemplary promotion, improvement or visibility of North Dakota hockey throughout North Dakota and on the national and international levels.
1. Candidates shall possess compelling and exceptional achievements and status within hockey that benefit the general perception of North Dakota.
  2. Accomplishments within North Dakota: Candidates shall possess a background of involvement in all areas of hockey while living in North Dakota.
    - a. Candidates may have been very active within NDAHA or an Affiliate of NDAHA which carries heavy consideration when reviewing candidates.
    - b. Background in playing, coaching and/or officiating in North Dakota.
    - c. Background in local affiliate and state boards, and committees.
    - d. Accomplishments, awards, and other such acknowledgements received while living in North Dakota and involved in NDAHA Hockey.
  3. Accomplishments Beyond North Dakota: Candidates may or may not have been active within North Dakota but may have been active and accomplished beyond North Dakota while living in North Dakota.
    - a. A Candidate may also have served on USA Hockey District and National Boards, Sections, and Committees. Such examples include but are not limited to Minnkota District, Northern Plains District, USA Hockey.
    - b. Candidates may have accomplishments, awards, and other such acknowledgements from other hockey governing bodies while living in North Dakota.
  4. Candidates may not have been active in NDAHA or an Affiliate of NDAHA but whose actions, accomplishments, and status as a player, coach, official, administrator, or supporter make a significant contribution or confer such positive reflection to North Dakota Hockey shall also receive consideration.
- D. HALL OF FAME NOMINATION PROCESS** – All nomination forms are on the NDAHA Website along with the qualifications that each nominee must meet to be accepted into the ND Hockey Hall of Fame. All Nominations are due to the Committee Chair on or before September 1 of each calendar year. The committee will meet and review all

# NORTH DAKOTA AMATEUR HOCKEY ASSOCIATION BYLAWS

---

nominations received on or before September 1 and recommend candidates for the NDAHA Board of Directors to vote on at the Fall NDAHA Board of Directors Meeting each September. Candidates that receive at least one vote from the committee but are not approved by the NDAHA Board of Directors will automatically be reviewed again the following year. If a candidate receives zero votes from the Committee and the NDAHA Board of Directors do not approve candidate, they will no longer be in the candidate pool. Any Candidate can be resubmitted in the future if not approved by the Board of Directors.

## **ARTICLE XVII ROBERTS RULES**

Roberts Rules of Order shall govern and control the conduct of all meetings of the Board of Directors, unless modified by these Bylaws.