

**BYLAWS OF THE
NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS, INC.**

**BYLAW I
NAME AND PURPOSE**

Section 1. Name

1 The name of this organization shall be the National Association of State Boating Law Administrators,
2 Inc., hereinafter referred to as the “Association.”

Section 2. Purpose

1 The purpose of the Association shall be to strengthen the ability of the state and territorial commission
2 authorities to reduce death, injury and property damage associated with recreational boating, and ensure a
3 safe and secure and enjoyable boating environment.

**BYLAW II
MEMBERSHIP**

Section 1. Categories and Privileges of Membership.

1 A. The primary membership of this Association shall comprise the states. For purposes of this
2 membership, "state" means a state, commonwealth, territory or district of the United States. A member
3 state in “good standing” means a state that is current in its payment of membership dues as may be
4 established in accordance with Section 2 of this Bylaw, and that has not formally withdrawn from
5 membership in the Association.
6

7 Each member state in good standing shall be represented by the lead official having responsibility for
8 administering the state’s boating program or enforcing the state’s boating laws, hereinafter referred to as
9 the state’s “Boating Law Administrator” or “BLA,” or shall be represented by the BLA’s designee. Such
10 representatives of the member states shall be entitled to vote on questions of official Association business,
11 as defined in Bylaw III, Section 2; shall be eligible to hold elective or appointive office in the
12 Association; and shall be entitled to serve as chairpersons and voting members of committees.
13

14 B. The Executive Board of the Association, as defined in Bylaw IV, Section 1, may grant conditional
15 membership with limited privileges to the following. As applicable, a member “in good standing” shall
16 mean a member current in payment of any membership dues as may be established in accordance with
17 Section 2 of this Bylaw, or who has not formally withdrawn from membership in the Association.
18

19 1. “Contributing State Membership” to state agency staff who desire to participate in the
20 Association. Subject to the approval of their respective state’s BLA, such members in good
21 standing shall be eligible to serve as chairpersons and voting members of committees. Such
22 members shall not be eligible to vote on questions of official Association business, as defined in
23 Bylaw III, Section 2, nor to hold elective office.
24

25 2. “International and Government Membership” to international government agencies or
26 international associations, and to other government agencies who desire to participate in the
27 Association. Such members in good standing shall be eligible to serve as voting members of
28 committees. Such members shall not be eligible to vote on questions of official Association
29 business, as defined in Bylaw III, Section 2, nor to hold elective office or serve as chairpersons of
30 committees.

31 3. “Associate Membership” to for-profit or non-profit corporations, firms, associations, or others
32 desiring to assist the Association in its objectives. Such members in good standing shall be
33 eligible to serve as voting members of committees. Such members shall not be eligible to vote on
34 questions of official Association business, as defined in Bylaw III, Section 2, nor to hold elective
35 office or serve as chairpersons of committees.
36

37 4. “Life Membership” to individuals with long-standing experience and interest in the
38 Association. Such members shall be eligible to serve as voting members of committees. Such
39 members shall not be entitled to vote on questions of official Association business, as defined in
40 Bylaw III, Section 2, nor to hold elective office or serve as chairpersons of committees.

Section 2. Membership Dues.

1 The amount of the annual membership dues to be assessed each member state shall be established by the
2 affirmative vote of a majority of the representatives of the Association’s member states in good standing
3 and present and voting at a business meeting of the membership as defined in Bylaw III, Section 2. The
4 amount of any annual membership dues to be assessed for the conditional membership categories as
5 defined in Section 1, subsections B(1), B(2) and B(3) of this Bylaw, shall be established by a majority
6 vote of the members of the Executive Board present and voting at a meeting of the Board as defined in
7 Bylaw IV, Section 1, subsection F; provided, that the dues assessment need not be uniform within or
8 among these categories.

**BYLAW III
MEETINGS OF THE ASSOCIATION MEMBERSHIP**

Section 1. Conferences.

1 Regular meetings of the Association, which shall include a program on matters of substantive interest to
2 the membership and a session during which the official business of the Association shall be transacted,
3 shall be called “conferences” and shall be held at least annually

Section 2. Business Meeting.

1 During at least one of the conferences held during a year, there shall be a session, hereinafter referred to
2 as the “business meeting,” at which official business of the Association shall be transacted. The business
3 meeting shall be open to all conference attendees, but only representatives of the member states eligible
4 under the terms defined in Bylaw II, Section 1, subsection A, shall vote on questions of official
5 Association business. Official business shall include, but not be limited to: voting on motions, resolutions,
6 model acts, statements of Association policy, and amendments to these Bylaws as might be posed to the
7 member states; and electing members of the Executive Board. Voting on all other matters shall be
8 expressly reserved for the Executive Board.
9

10 For purposes of casting votes, as defined in Section 6 of the Bylaw, and establishing the presence of a
11 quorum at the time of the votes, as defined in Section 5 of this Bylaw, a representative of an eligible
12 member state must be present either physically or virtually by means of an electronic communication
13 system through which the representative can hear and be heard.

Section 3. Special Meetings of the Membership.

1 Special meetings of the membership shall be called by the Executive Board Chair upon the request of not
2 less than ten (10) of the member states as represented by their BLAs or the BLAs’ designees or upon
3 request of a majority of the members of the Executive Board. If the Executive Board Chair fails to call
4 such special meeting in accordance with the foregoing, the Executive Board shall be authorized to do so
5 upon a majority vote of its membership. Thirty (30) days notice of any such special meeting must be
6 given to the representatives of the member states, and such notice may be delivered by postal mail,
7 telephone, telefacsimile, electronic mail, or any other communication method open and accessible to
8 them. Such notice shall state the purpose(s) of the meeting, the location, the Association business that
9 shall be transacted, and such other information as might be necessary to conduct the meeting.

Section 4. Registration Fees.

1 Registration fees for annual or other conferences or meetings of the Association shall be in such amount
2 as may be determined by the Executive Board, provided that the amount of the registration fee shall be
3 contained in the notice of the conference or meeting. Registration fees for persons other than members of
4 the Association defined in Bylaw II, Section 1, who may desire to attend conferences of the Association,
5 with or without invitation, shall be established at the discretion of the Executive Board.

Section 5. Quorum.

1 No business meeting conducted during an annual or other conference or special meeting of the
2 Association members shall be official unless there is a quorum present. A quorum shall consist of a
3 majority of the member states in good standing, as represented by their BLAs or the BLAs’ designees
4 present either physically or virtually by means of an electronic communication system through which the
5 representatives can hear and be heard.

Section 6. Voting.

1 A. At any business meeting, on all questions before the Association, each member state, as represented
2 by the state’s BLA or the BLA’s designee, shall be entitled to one vote. The procedure for casting each
3 member state’s vote shall be decided by each state, except that no fractional votes shall be permitted. If an
4 eligible representative of a member state cannot attend a business meeting, the representative shall have
5 the option of casting votes virtually, by means of an electronic communication system through which the
6 representative can hear and be heard or otherwise the member state shall forfeit the right to cast its votes
7 at the meeting. The procedures for using such an electronic communication system shall be announced to
8 all member states in advance of the business meeting. The record of the roll call of the member states
9 shall reflect all representatives attending in person and virtually.

10
11 B. At any business meeting, all action on motions, resolutions and other official Association business
12 which requires a vote shall be by voice vote, except (1) when a roll call vote is requested by at least three
13 (3) member states, as represented by their BLAs or the BLAs’ designees; or (2) when a secret ballot is
14 used in the case of multiple nominations for an elective office of the Executive Board.

Section 7. Parliamentary Procedure.

1 All business meetings of the Association shall be conducted in accordance with Robert's Rules of Order,
2 revised, so far as practicable.

Section 8. Conducting Interim Business.

1 In the interim between conferences, or in lieu of calling a special meeting of the Association membership,
2 the Executive Board, as a plenary, may put forth measures to be voted on by the eligible members of the
3 Association, as defined in Bylaw II, Section 1, subsection A, through mail balloting or through a
4 combination of mail balloting and other communication and tabulation systems as may be open and
5 accessible to the members of the Association. Such systems and procedures are subject to Executive
6 Board approval and shall be described in the policies of the Association. In no event, however, shall any
7 procedure accommodate less than thirty (30) days between the date of issuance and the deadline for
8 response by the members eligible to vote on Association matters.

**BYLAW IV
GOVERNANCE AND MANAGEMENT OF THE ASSOCIATION**

Section 1. Executive Board

1 A. Executive Board as Governing Body. The Association shall be governed by an Executive Board,
2 hereinafter referred to in the subsections of this Section as the “Board,” and which shall act in trusteeship
3 to the members of the Association, formulate the policies of the Association, and generally supervise their
4 execution of those policies. The Board shall develop and maintain policies to guide the activities of the
5 Association.
6

7 B. Composition. The Board shall consist of seven members. Three Officers defined in Section 2 of this
8 Bylaw as the Chair, Vice Chair and Treasurer, shall be elected by the Board from among its seated
9 members. The Board shall be comprised solely of representatives of the member states eligible to hold
10 elective Association offices under the terms of Bylaw II, Section 1.
11

12 C. Tenure of Office. The regular terms of office for Board members shall be three (3) years each,
13 beginning on the first day following the conference at which they were elected and ending on the last day
14 of the conference at which their successors are elected. Upon election, a Board member may serve no
15 more than two (2) consecutive, full three (3)-year terms. A former Board member may be eligible for re-
16 election to another three (3)-year term or to fill an unexpired term after being off of the Board for no less
17 than two (2) years.
18

19 A person who fills an unexpired Board member term of two (2) or more years may be elected to one
20 additional full term. A person who fills an unexpired term of less than two (2) years may be elected to two
21 (2) full terms.
22

23 The regular term of office for the Officers elected from among the Board members to serve as Chair, Vice
24 Chair and Treasurer, shall be one (1) year, beginning the day of their election at the Board meeting
25 conducted immediately after the annual business meeting of the Association at which Board elections
26 were conducted. The one (1)-year term for Officers shall run concurrent with their terms as Board
27 members, and shall be subject to the limitations of tenure as Board members. The Board members elected
28 Chair or Vice Chair, respectively, shall be eligible to serve no more than two one-year terms over a six-

29 year period. The Board member elected as Treasurer shall be eligible to serve multiple, successive one-
30 year terms by majority vote of the remaining Board members.

31
32 Provisions for the nomination and election of Board members and officers shall be as set forth in Bylaw
33 V.

34
35 A vacancy in a Board member position, created when the member resigns, is removed from office, is
36 elected to another office before completing the term of the position for which they were elected, or is no
37 longer eligible for membership as provided by Bylaw II, Section 1, shall be filled by the Chair's
38 nomination of a person eligible to hold elective office under the terms of Bylaw II, Section 1, and
39 confirmation by affirmative vote of a majority of the remaining Board members. The person appointed to
40 fill the vacancy shall be inaugurated upon such approval of the Board and shall serve until the next
41 scheduled election, as described in Bylaw V. The balance of the term for that office, if any remains, shall
42 be filled at that election.

43
44 The Vice Chair shall assume the responsibilities of the Chair in the event of the Chair's resignation or
45 removal from, or ineligibility for office and shall serve in that capacity until the next scheduled election,
46 as described in Bylaw V.

47
48 Any Board member may resign at any time by giving written notice to the Chair, or if the member
49 resigning is the Chair, to the Vice Chair. Any resignation shall be effective immediately unless a certain
50 date is specified for it to take effect. Acceptance of any resignation shall not be necessary to make it
51 effective.

52
53 Any Board member may be removed from office, with or without cause, by the affirmative vote of a
54 majority of the representatives of the Association's member states in good standing and present and
55 voting at a business meeting of the membership as defined in Bylaw III, Section 2 or at a special meeting
56 of the membership as defined in Bylaw III, Section 3.

57
58 D. Powers and Duties. The Board shall have general authority over the funds, property and management
59 of the Association. In addition to the legal, fiduciary and ethical responsibilities defined elsewhere in
60 these Bylaws and as further defined in the policies of the Association, the Board shall:

- 61
62 1. Oversee and set policies on the fiscal, budgetary, audit, and administrative affairs of the
63 Association and authorize their implementation;
64 2. Determine and periodically evaluate the Association's mission and purpose, and the
65 performance of the Board and the Association in that regard;
66 3. Ensure the availability of adequate fiscal and human resources for operating and maintaining
67 the Association;
68 4. Establish and periodically evaluate the direction and content of all programs, products and
69 services sponsored by the Association;
70 5. Select and define the authority, compensation and responsibilities of the Chief Executive
71 Officer of the Association or other staff as may be defined in Section 4 of this Bylaw, and monitor
72 the performance of same;
73 6. Promote the Association's interests and image;
74 7. Adjudicate grievances brought forth by staff and members of the Association;
75 8. Prepare the agenda for the business meeting or meetings that shall occur at an annual or other
76 conference of the Association.

77
78 E. Reimbursement. Members of the Board shall not be compensated for the fulfillment of their duties as
79 Board members or Board Officers. However, members shall be eligible for reimbursement of such

80 expenses as may be incurred in the fulfillment of these duties. Such reimbursement and related procedures
81 shall be as described in the policies of the Association.

82
83 F. Meetings of the Board. The Board shall meet as a plenary at least one (1) time a year in conjunction
84 with a conference of the Association, and may meet additional times subject to the call of the Chair. A
85 special meeting of the Board must be called upon the written request of any four (4) members of the
86 Board. Should the Chair fail to call a meeting of the Board upon the request, the Vice Chair shall be
87 authorized to call such a meeting. At least thirty (30) days notice of such a meeting must be given to the
88 members of the Board and such notice must state the purpose of the meeting and specific agenda items to
89 be discussed. Notice may be delivered by postal mail, telephone, telefacsimile, electronic mail or other
90 communication system open and accessible to all members of the Board.

91
92 1. Quorum. Four (4) Board members shall constitute a quorum for purposes of an in-person
93 meeting or for conducting interim business according to the provisions of paragraph 6 of this
94 subsection F.

95
96 2. Manner of Acting. Except as otherwise expressly required by law, the Articles of Incorporation
97 of the Association, or these Bylaws, the affirmative vote of a majority of members of the Board
98 present at any meeting of the Board at which a quorum is present shall be the act of the Board.
99 Each Board member shall have one vote. A vote may not be cast by anyone other than the
100 member elected to the Board. Voting by proxy shall not be permitted.

101
102 3. Order of Business. Meetings of the Board shall include, at minimum, the following agenda
103 items: roll call of attendees, approval of minutes from previous meeting, report from the Chair,
104 report from the Treasurer, and report from the Chief Executive Officer. The meeting also shall
105 include the transaction of other new and unfinished business as the Board may wish to discuss.

106
107 4. Location of Meetings. One meeting of the Board shall be conducted in conjunction with a
108 conference of the Association. Other meetings of the Board shall be held at times and places as
109 designated by the Chair or the Executive Board.

110
111 5. Parliamentary Procedure. All meetings of the Board shall be conducted in accordance with
112 Robert's Rules of Order, revised, so far as practicable.

113
114 6. Conducting Interim Business. In lieu of calling special meetings, the Board may discuss issues
115 and vote on motions in the interim between formal meetings through a communication system
116 open and accessible to all members of the Board. Motions may be issued through this system by
117 any member of the Board, must be clearly stated and accompanied by explanation of intent, and
118 must specify a closure date for response. A motion shall be considered as seconded upon response
119 to that motion by any other Board member. A record of all motions and outcomes shall be
120 certified by the Vice Chair.

121
122 7. Communication with Association Membership. The Board shall prepare summary minutes of
123 its meetings and shall submit the minutes to the members of the Association within sixty (60)
124 days after completion of the meeting.

125
126 G. Conflicts of Interest. For purposes of this subsection, a “conflict of interest” shall include but not be
127 limited to, any transaction by or with the Association in which a Board member has a direct or indirect
128 personal interest, or any transaction in which a Board member is unable to exercise impartial judgment or
129 otherwise act in the best interests of the Association. The Board shall adopt and enforce a conflict of
130 interest policy in accordance with these Bylaws and consistent with Kentucky Revised Statute 273.219.

131
132 H. Committees of the Board. The Board as a plenary or the Chair shall have the authority to create
133 committees of the Board for the purpose of informing and assisting in its work and policymaking. Such
134 committees shall in no way supplant the Board’s responsibilities or obligations as a plenary. The
135 following shall be among the areas addressed by Board committees: financial management of the
136 Association; the development of the Board and other governance matters; the resource development of the
137 Association; and Board nominations and elections. Such committees shall be comprised of members of
138 the Board, and may include as appropriate other eligible members of the Association as defined in Bylaw
139 II, Section 1. The objectives, operations, procedures and tenure of such Board committees shall be as
140 detailed in the policies of the Association.

Section 2. Officers

A. Officers Defined. The Executive Board Officers shall be the Chair, Vice Chair and Treasurer. Each Officer shall be bound by the Association’s Articles of Incorporation, these Bylaws, the policies of the Association, and any other actions taken by the Board, and shall have additional authority as may be conferred by formal resolution of the Board or as may be granted by the eligible members of the Association as defined in Bylaw II, Section 1.

B. Tenure of Office. The terms of office for and provisions for filling vacancies in the Officer positions shall be as set forth in Section 1, subsection C of this Bylaw. Provisions for their nomination and election shall be as set forth in Bylaw V.

C. Powers and Duties. The Officers shall have such powers and duties as are defined in this subsection and elsewhere in these Bylaws, and shall include any additional authority as may be given them by formal resolution of the Board and incorporation into the policies of the Association.

1. Chair. The Chair shall direct the overall affairs and operations of the Board; preside over all meetings of the Board and of the Association; and perform all other such duties as shall be authorized in these Bylaws or as the Board may authorize and as may be defined in the policies of the Association.

2. Vice Chair. The Vice Chair shall assist the Chair in directing the affairs and operations of the Board; act as presiding officer at meetings in the absence of the Chair; as Secretary of the Association, certify the integrity of the records and transactions of the Association and the Board; and perform all other such duties as shall be authorized in these Bylaws or as the Board may authorize and as may be defined in the policies of the Association.

3. Treasurer. The Treasurer shall serve as the primary steward of the financial resources of the Association by ensuring the accurate recording and reporting of the Association’s financial transactions, the adherence to an annual budget, and the performance and presentation of an annual financial audit by a qualified independent audit firm; and perform all other such duties as shall be authorized in these Bylaws or as the Board may authorize and as may be defined in the policies of the Association.

Section 3. Committees of the Association.

1 There shall be administrative and policy committees of the Association that shall report to and assist the
2 Executive Board in accomplishing the Association’s mission and strategic plan. The committees shall be
3 comprised of Association members eligible for committee membership under the terms of Bylaw II,
4 Section 1. The Board Chair shall appoint all committee chairpersons not later than the first meeting of the
5 Board following the conference at which elections are conducted. During their term of office, members of
6 the Board shall be disqualified from serving as chairpersons or vice-chairpersons of any committee
7 defined as a policy committee of the Association. The jurisdiction, objectives, operations, procedures and
8 tenure of the administrative and policy committees of the Association shall be as detailed in the policies
9 of the Association.

Section 4. Chief Executive Officer of the Association.

1 A. Function. The Executive Board shall be authorized to select and employ a chief executive officer,
2 hereinafter referred to as the “Executive Director.” To the extent permitted by law in the conduct of the
3 business of the Association, the Executive Director shall serve as the executive agent and a non-voting, *ex*
4 *officio* member of the Board, and shall have responsibility for planning, administering and managing the
5 Association’s daily operations, its personnel and programs, and for providing direct support to the elected
6 and appointed leadership of the Association.

7
8 B. Duties. The duties of the Executive Director shall include, but shall not be limited to:

- 9
10 1. Employing such staff as the operation of the Association may require and at such compensation
11 and under such conditions commensurate with the policy determinations of the Executive Board;
12 2. Maintaining the records and files of the Association;
13 3. Preparing an annual budget for approval by the Executive Board, supervising the keeping of
14 financial records of the Association, and taking such action as necessary to assure the collection,
15 payment and accounting of the funds of the Association;
16 4. Maintaining custody of the Association’s funds and investing the Association’s assets for the
17 sole benefit of the Association with the consent of the Executive Board;
18 5. Supervising the implementation of all programs, services and grants of the Association;
19 6. Serving as a spokesperson for the Association, as authorized by the Chair; and
20 7. Performing all other such duties as shall be authorized in these Bylaws, or as the Executive
21 Board may authorize and as may be defined in the policies of the Association.
22

23 C. Evaluation and Compensation. The Executive Director shall serve at the pleasure of the Executive
24 Board and at a compensation level and upon other terms and conditions as may be determined by the
25 Executive Board in its annual review of the Executive Director’s performance.

**BYLAW V
NOMINATIONS AND ELECTIONS**

Section 1. Eligibility for Executive Board Member and Officer Positions.

1 Only representatives of member states as defined in Bylaw II, Section 1, subsection A shall be eligible for
2 nomination and election to serve on the Executive Board as a Board member or Officer.
1

Section 2. Nominations.

1 A. Nomination by Committee. The Board committee that has jurisdiction over nominations and elections
2 shall secure the consent of at least one (1) eligible representative of a member state, as defined in Bylaw
3 II, Section 1, subsection A, to be a candidate for each open Board member position on the Executive
4 Board. Qualifications, skills and characteristics as may be required for the achievement of Board duties
5 and responsibilities, and the operations, procedures and tenure of this Board committee shall be as
6 detailed in the policies of the Association.

7
8 The slate of candidates recommended by the committee to the Executive Board and accepted by the
9 Board shall be announced to the eligible representatives of the member states at least thirty (30) days
10 prior to the day of the election. Such announcement may be delivered by postal mail, telephone,
11 telefacsimile, electronic mail, or any other communication method open and accessible to them.

12
13 B. Nominations from the Floor. During the business meeting at which the election is to be conducted, any
14 eligible representative of a member state, as defined in Bylaw II, Section 1, subsection A, shall be allowed
15 to place into nomination their name or the name of another eligible representative for any open Board
16 member position on the Executive Board.

1
Section 3. Elections.

2 A. General Election for the Board. The election for open positions on the Executive Board shall be
3 conducted during a scheduled annual business meeting of the Association, as defined in Bylaw III,
4 Section 2.

5 1. Voting. Voting on each open position shall be conducted as defined in Bylaw III, Section 6.

6
7 2. Election Determination. A candidate shall be elected to an open position upon the affirmative
8 vote of a majority of the representatives of the Association’s member states in good standing, as
9 defined in Bylaw II, Section 1, and present and voting at the business meeting at which the
10 election is conducted. The winning candidate shall begin and end their term of office as defined in
11 Bylaw IV, Section 1, subsection C.

12
13 B. Election of the Officers. The Board shall elect the Officers from among its eligible, seated members
14 and the action of the Board shall be in accordance with the terms of Bylaw IV, Section 1F. The election
15 shall take place at the Board meeting conducted immediately after the annual business meeting of the
16 Association at which Board elections were conducted. Prior to the adjournment of the annual conference
17 at which the business meeting was conducted, the outgoing Chair of the Board shall convene a meeting of
18 the full Executive Board for the sole purpose of selecting the Board Officers defined in Bylaw IV, Section
19 2. If the outgoing Chair is no longer eligible to serve on the Board following the election of the Board
20 members conducted during the annual business meeting of the Association, the outgoing Vice Chair shall
21 convene and preside at the Board meeting until such time as a successor is elected.

22
23 During the board meeting at which the election is to be conducted, any eligible board member shall be
24 allowed to place into nomination their name or the name of another eligible board member for any
25 Officer positions on the Board. Upon convening the Board, the outgoing Chair shall call for nominations
26 for Officer positions from the board. Assuming consensus among board members regarding the field of
27 nominees, the outgoing Chair shall present a slate of board officers for one-year terms including Chair,
28 Vice Chair, and Treasurer. Upon majority vote of the Board members present, the outgoing Chair shall
29 certify the results of the board election and announce the Officers for the new Board.

31 In the event of multiple nominations for any Officer position, the outgoing Chair shall call for a separate
32 vote on each Officer position including Chair, Vice Chair, and Treasurer. In the event that two candidates
33 are nominated for any Officer position, upon *majority* vote of the Board members present, the outgoing
34 Chair shall certify the results of the board election and announce the Officers for the new Board.
35 However, in the event that *three or more candidates* are nominated for any Officer position, upon
36 *plurality* vote of the Board members present, the outgoing Chair shall certify the results of the board
37 election and announce the Officers for the new Board.
38
39 The terms of office for the Chair, Vice Chair, and Treasurer shall be one (1) year, beginning on the day of
40 their election at the Board meeting and ending upon the election of their successor(s) at the next annual
41 conference.

**BYLAW VI
BOATING EDUCATION COURSE APPEALS**

1 There shall be an Appeals Committee which shall consider all appeals by boating education course
2 providers who have filed a written appeal resulting from not receiving NASBLA approval of a boating
3 education course as provided in the Association’s Course Provider Agreement. This appeals process shall
4 not apply to state recognition, acceptance, or endorsement of a NASBLA-approved boating safety course.
5
6 The Committee shall be comprised of three members of the Executive Board. The Committee members
7 and the chairperson shall be appointed by the Chair of the Board, provided, however, that the Chair shall
8 not be a member of the Committee. Members shall serve until such time as they formally resign from the
9 Committee; are no longer members of the Executive Board; or become ineligible by reason of assuming
10 the office of the Board Chair. The Chair shall fill any vacancy on the Committee within thirty (30)
11 business days.
12
13 An appeal shall be filed within thirty (30) business days of the date of a disapproval of a boating
14 education course, and shall be deemed filed on the date received by the Association.
15
16 Upon delivery of the appeal, the chairperson shall convene the Appeals Committee in person or using an
17 electronic communication method open and accessible to all members of the Committee. Persons other
18 than the members of the Committee shall not be present, in person or by electronic means, during a
19 meeting when an appeal is considered except in extraordinary circumstances and then only upon the
20 unanimous vote of the members of the Committee. All decisions of the Appeals Committee shall be
21 considered final.
22
23 Further operations and procedures of the Committee and the appellate process shall be as detailed in the
24 policies of the Association.

**BYLAW VII
INDEMNIFICATION**

1 The private property of Association members, as defined in Bylaw II, Section 1; of Officers and Members
2 of the Association’s Executive Board, as defined in Bylaw IV, Section 1, subsection B; and of
3 Association employees or agents shall not be subject to the payments of the debts of the Association. The
4 provisions of Kentucky Revised Statutes 273.248(1) and 273.171(14) are adopted as a part of these
5 Bylaws to the fullest extent permitted and are incorporated herein as if set forth in full, subject to the

6 limitations of Kentucky Revised Statute 273.248(2). Further, the provisions for indemnification defined in
7 Kentucky Revised Statutes 271B.8-500 through 271B.8-580, inclusive and including any successor
8 enactments, are adopted and included by reference herein as if set forth in full and shall be applicable to
9 all Officers and Members of the Executive Board, employees or other agents of the Association.

10
11 If it is ultimately determined that any Officer or Member of the Executive Board, or employee or agent of
12 the Association is not entitled to indemnification under this Bylaw, such person shall repay all expenses
13 paid by the Association in the indemnification of expenses and liabilities incurred by said person in
14 connection with any claim, action, suit or proceeding to which he or she was made a party by reason of
15 being an Officer, Member-at-Large of the Executive Board, employee or other agent of the Association.

16
17 The Executive Board shall authorize the purchase of insurance on behalf of any Officer or Member of the
18 Executive Board, employee, or other agent of the Association against any liability incurred by him or her
19 which arises out of such person's status as an Officer or Member of the Executive Board, employee or
20 agent, whether or not the Association would have the power to indemnify the person against that same
21 liability under Kentucky Revised Statutes 271B.8-510 or 271B.8-520.

**BYLAW VIII
AMENDMENT**

1 These Bylaws may be amended at any business meeting of the Association upon the affirmative vote of
2 two-thirds (2/3) of all of the votes entitled to be cast by the representatives of the Association's member
3 states in good standing as defined in Bylaw II, Section 1; provided notice of such amendment(s) and the
4 nature thereof shall be given to the eligible voters at least thirty (30) days prior to the day of the business
5 or special meeting at which said amendment(s) are to be presented for consideration. Such advance notice
6 may be waived by a two-thirds (2/3) affirmative vote of the eligible representatives of the member states
7 present and voting at such a meeting.

**BYLAW IX
DISSOLUTION OF ASSOCIATION**

1 This Association may be dissolved upon the affirmative vote of two-thirds (2/3) of all of the votes entitled
2 to be cast by the representatives of the Association's member states in good standing as defined in Bylaw
3 II, Section 1. In the event of dissolution, the assets of the Association shall be disposed of in accordance
4 with Article VII of the Articles of Incorporation of the National Association of State Boating Law
5 Administrators, Inc.

**BYLAW X
EFFECTIVE DATE**

1 These Bylaws shall supersede all prior Constitutions and Bylaws of the Association and shall take effect
2 upon their approval unless otherwise stated. Provisions related to elected positions shall take effect as
3 soon as possible, but no later than the expiration of all current terms of office.