

**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 or has been  
4 granted and exception as may be established in accordance with Section 2 of this Bylaw, and that has not  
5 formally withdrawn from membership in the Association.  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17 Section 2 of this Bylaw, or who has not formally withdrawn from membership in the Association.  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. Should a member state fall upon financial hardship due to circumstances beyond  
9 its control, the Executive Board may, at its sole discretion, make an exception to (1) grant membership to a  
10 member who previously withdrew, or (2) keep a member in good standing. Any member state granted such  
11 exception agrees to resume paying its annual dues at such time it is reasonably able to do so as determined by  
12 the Board. Such member shall not be liable for back dues, penalties, or interest during a period of financial  
13 hardship.

**BYLAW III  
MEETINGS OF THE ASSOCIATION MEMBERSHIP**

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2  
3 **Section 1. Conferences.**

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

1  
2  
3 **Section 2. Business Meeting.**

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

13  
For purposes of casting votes, as defined in Section 6 of the Bylaw, and establishing the presence of a  
quorum at the time of the votes, as defined in Section 5 of this Bylaw, a representative of an eligible  
member state must be present either physically or virtually by means of an electronic communication  
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 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. Any action required or permitted to be taken  
4 by the members may be taken without a meeting if the action is taken by all members entitled to vote on  
5 such action. The consents shall be delivered to NASBLA for recording in the minutes, and any action  
6 taken shall be effective when the signed consents are delivered to NASBLA. Written consents shall be  
7 delivered to NASBLA through a communication system open and accessible to the members of the  
8 Association. Such systems and procedures are subject to Executive Board approval and shall be described  
9 in the policies of the Association. In no event, however, shall any procedure accommodate less than thirty  
10 (30) days between the date of issuance and the deadline for response by the members eligible to vote on  
11 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, beginning at  
13 the first Board meeting conducted after the annual business meeting but before the closing ceremonies at the  
14 annual conference of the Association at which they were elected, and ending at the close of the annual  
15 business meeting of the association at which their successors are elected. Upon election, a Board member may  
16 serve no more than two (2) consecutive, full three (3)-year terms.  
18  
19 If a former Board member has served two (2) consecutive, full three (3) year terms, the member may  
20 return to Board service so long as the member has been off the Executive Board for two Board cycles. A  
21 Board cycle is to be measured from the first day after the annual conference to the last day of the  
22 following year’s annual conference.  
23  
24 A person who fills an unexpired Board member term of two (2) or more years may be elected to one  
25 additional full term. A person who fills an unexpired term of less than two (2) years may be elected to two  
26 (2) consecutive, full terms. If a Board member fills an unexpired term of two (2) or more years and is elected  
27 to an additional, consecutive term, they must take a two (2) Board cycle break before they are eligible for re  
28 election to the Board. If a Board member fills an unexpired term of less than two (2) years,

29 they are eligible to serve two (2) consecutive, full three (3)-year terms.  
30 The regular term of office for the Officers elected from among the Board members to serve as Chair, Vice  
31 Chair and Treasurer, shall be one (1) year, beginning the day of their election at the first Board meeting  
32 conducted after the annual business meeting but before the closing ceremonies at the annual conference of the  
33 Association at which Board elections were conducted. The one (1)-year term for Officers shall run concurrent  
34 with their terms as Board members and shall be subject to the limitations of tenure as Board members. The  
35 Board members elected Chair or Vice Chair, respectively, shall be eligible to serve no more than three one  
36 year terms over a six-year period. The Board member elected as Treasurer shall be eligible to serve multiple,  
37 successive one-year terms by majority vote of the remaining Board members.

38 Provisions for the nomination and election of Board members and officers shall be as set forth in Bylaw V  
39 and in the policies of the Association.

40  
41 A vacancy in a Board member position, created when a member resigns, is removed from office, is  
42 elected to another office before completing the term of the position for which they were elected, or is no  
43 longer eligible for membership as provided by Bylaw II, Section 1, shall be filled through the  
44 nominations and elections process set forth in Bylaw V and the Policies of the Association. If the vacancy  
45 occurs more than 30 days from the annual business meeting, an electronic balloting system may be used  
46 to conduct the election in accordance with KRS 273.201. The person elected shall fill the remainder of the  
47 term left by the vacating Board member.

48  
49 The Vice Chair shall assume the responsibilities of the Chair in the event of the Chair’s resignation or  
50 removal from, or ineligibility for office and shall serve in that capacity until the vacant Board seat is filled.  
51 An Officer election is conducted at the first Board meeting conducted after the annual business meeting but  
52 before the closing ceremonies at the annual conference of the Association to elect the Chair. In the event the  
53 Chair election creates another vacancy in an officer position, additional Officer elections shall be conducted  
54 until each vacant Officer position is filled.

55  
56 Any Board member may resign at any time by giving written notice to the Chair, or if the member  
57 resigning is the Chair, to the Vice Chair. Any resignation shall be effective immediately unless a certain  
58 date is specified for it to take effect. Acceptance of any resignation shall not be necessary to make it  
59 effective.

60  
61 Any Board member may be removed from office, with or without cause, by the affirmative vote of a  
62 majority of the representatives of the Association’s member states in good standing and present and voting  
63 at a business meeting of the membership as defined in Bylaw III, Section 2 or at a special meeting of the  
64 membership as defined in Bylaw III, Section 3.

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

- 68  
69
- 70 1. Oversee and set policies on the fiscal, budgetary, audit, and administrative affairs of the  
71 Association and authorize their implementation;
  - 72 2. Determine and periodically evaluate the Association’s mission and purpose, and the  
73 performance of the Board and the Association in that regard;
  - 74 3. Ensure the availability of adequate fiscal and human resources for operating and maintaining  
75 the Association;
  - 76 4. Establish and periodically evaluate the direction and content of all programs, products and  
77 services sponsored by the Association;
  - 78 5. Select and define the authority, compensation and responsibilities of the Chief Executive

78 Officer of the Association or other staff as may be defined in Section 4 of this Bylaw, and monitor  
79 the performance of same;

80 6. Promote the Association’s interests and image;

81 7. Adjudicate grievances brought forth by staff and members of the Association;

82 8. Prepare the agenda for the business meeting or meetings that shall occur at an annual or other  
83 conference of the Association.

84  
85 E. Reimbursement. Members of the Board shall not be compensated for the fulfillment of their duties as  
86 Board members or Board Officers. However, members shall be eligible for reimbursement of such  
87 expenses as may be incurred in the fulfillment of these duties. Such reimbursement and related procedures  
88 shall be as described in the policies of the Association.

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

98  
99 1. Quorum. Four (4) Board members shall constitute a quorum for purposes of an in-person  
100 meeting or for conducting interim business according to the provisions of paragraph 6 of this  
101 subsection F.

102  
103 2. Manner of Acting. Except as otherwise expressly required by law, the Articles of Incorporation  
104 of the Association, or these Bylaws, the affirmative vote of a majority of members of the Board  
105 present at any meeting of the Board at which a quorum is present shall be the act of the Board.  
106 Each Board member shall have one vote. A vote may not be cast by anyone other than the  
107 member elected to the Board. Voting by proxy shall not be permitted.

108  
109 3. Order of Business. Meetings of the Board shall include, at minimum, the following agenda  
110 items: roll call of attendees, approval of minutes from previous meeting, report from the Chair,  
111 report from the Treasurer, and report from the Chief Executive Officer. The meeting also shall  
112 include the transaction of other new and unfinished business as the Board may wish to discuss.

113  
114 4. Location of Meetings. One meeting of the Board shall be conducted in conjunction with a  
115 conference of the Association. Other meetings of the Board shall be held at times and places as  
116 designated by the Chair or the Executive Board.

117  
118 5. Parliamentary Procedure. All meetings of the Board shall be conducted in accordance with  
119 Robert's Rules of Order, revised, so far as practicable.

120  
121 6. Conducting Interim Business. In lieu of calling a meeting, the Board may discuss issues and  
122 vote on motions in the interim between formal meetings through a communication system open  
123 and accessible to all members of the Board. Any action required or permitted to be taken by the  
124 Board may be taken without a meeting if the action is taken by all members of the Board. The  
125 action shall be evidenced by one (1) or more written consents describing the action taken, signed  
126 by each director, and included in the minutes. Action taken shall be effective when the last Board  
127 member signs the consent, unless the consent specifies a different effective date.

129 7. Communication with Association Membership. The Board shall prepare summary minutes of  
130 its meetings and shall submit the minutes to the members of the Association within sixty (60)  
131 days after completion of the meeting. When the Board meets in executive session, the minutes  
132 from those sessions will be confidential and will not be submitted to the membership. The  
133 executive session minutes shall be available to all members of the Board and maintained in  
134 accordance with the policies of the Association.  
135

136 G. Conflicts of Interest. For purposes of this subsection, a “conflict of interest” shall include but not be  
137 limited to, any transaction by or with the Association in which a Board member has a direct or indirect  
138 personal interest, or any transaction in which a Board member is unable to exercise impartial judgment or  
139 otherwise act in the best interests of the Association. The Board shall adopt and enforce a conflict of  
140 interest policy in accordance with these Bylaws and consistent with Kentucky Revised Statute 273.219.  
141

142 H. Committees of the Board. The Board as a plenary or the Chair shall have the authority to create  
143 committees of the Board for the purpose of informing and assisting in its work and policymaking. Such  
144 committees shall in no way supplant the Board’s responsibilities or obligations as a plenary. The  
145 following shall be among the areas addressed by Board committees: financial management of the  
146 Association; the development of the Board and other governance matters; the resource development of the  
147 Association; and Board nominations and elections. Such committees shall be comprised of members of  
148 the Board, and may include as appropriate other eligible members of the Association as defined in Bylaw  
149 II, Section 1. The objectives, operations, procedures and tenure of such Board committees shall be as  
150 detailed in the policies of the Association.

## Section 2. Officers

1 A. Officers Defined. The Executive Board Officers shall be the Chair, Vice Chair and Treasurer. Each  
2 Officer shall be bound by the Association’s Articles of Incorporation, these Bylaws, the policies of the  
3 Association, and any other actions taken by the Board, and shall have additional authority as may be  
4 conferred by formal resolution of the Board or as may be granted by the eligible members of the  
5 Association as defined in Bylaw II, Section 1.  
6

7 B. Tenure of Office. The terms of office for and provisions for filling vacancies in the Officer positions  
8 shall be as set forth in Section 1, subsection C of this Bylaw. Provisions for their nomination and election  
9 shall be as set forth in Bylaw V.  
10

11 C. Powers and Duties. The Officers shall have such powers and duties as are defined in this subsection  
12 and elsewhere in these Bylaws, and shall include any additional authority as may be given them by formal  
13 resolution of the Board and incorporation into the policies of the Association.  
14

15 1. Chair. The Chair shall direct the overall affairs and operations of the Board; preside over all  
16 meetings of the Board and of the Association; and perform all other such duties as shall be  
17 authorized in these Bylaws or as the Board may authorize and as may be defined in the policies of  
18 the Association.  
19

20 2. Vice Chair. The Vice Chair shall assist the Chair in directing the affairs and operations of the  
21 Board; act as presiding officer at meetings in the absence of the Chair; as Secretary of the  
22 Association, certify the integrity of the records and transactions of the Association and the Board;  
23 and perform all other such duties as shall be authorized in these Bylaws or as the Board may  
24 authorize and as may be defined in the policies of the Association.  
25

26 3. Treasurer. The Treasurer shall serve as the primary steward of the financial resources of the

27 Association by ensuring the accurate recording and reporting of the Association’s financial  
28 transactions, the adherence to an annual budget, and the performance and presentation of an  
29 annual financial audit by a qualified independent audit firm; and perform all other such duties as  
30 shall be authorized in these Bylaws or as the Board may authorize and as may be defined in the  
31 policies of the Association.  
32

**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.

**Section 2. Nominations.**

1 A. Nomination by Committee. The Board committee that has jurisdiction over nominations and elections  
2 shall secure the consent of one (1) or more eligible representative(s) of the member states, as defined in  
3 Bylaw II, Section 1, subsection A, to be a nominee(s) for the open Board member positions on the  
4 Executive Board. The Board committee shall ensure all nominees have satisfied the necessary  
5 requirements as outlined in the policies of the Association. The operations, procedures, and tenure of this  
6 Board committee shall be as detailed in the policies of the Association.  
7

8 The list of eligible candidates shall be announced to the representatives of the member states at least thirty  
9 (30) days prior to the day of the election. Such announcement shall be delivered using any  
10 communication method open and accessible to all eligible representatives of the member states.  
1

**Section 3. Elections.**

1 A. General Election for the Board. The election for open positions on the Executive Board shall be  
2 conducted during a scheduled annual business meeting of the Association, as defined in Bylaw III,  
3 Section 2. If the open position was created by a vacancy, an electronic balloting system may be used in  
4 accordance with Bylaw IV, Section 1, subsection C, lines 41 – 47.  
5

6 1. Voting. Voting on each open position shall be conducted as defined in Bylaw III, Section 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(s) shall begin and end their term of office as  
11 defined in 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 1, subsection F.  
15 The election shall take place at the first Board meeting conducted after the annual business meeting but before  
16 the closing ceremonies at the annual conference of the Association at which Board elections were conducted.  
17

18 The Board shall convene a meeting in which one of the agenda items shall be the election of the Officers,  
19 as defined in Bylaw IV, Section 2. During the Board meeting at which the election is to take place, all  
20 Board members shall be allowed to place into nomination their name or the name of another eligible  
21 Board member for any Officer position. The Executive Director shall preside over the election of Chair.  
22 Upon the majority vote of Board members for the office of Chair, the newly elected Chair shall preside  
23 over the election of Vice Chair and Treasurer, respectively. Upon the election of the Vice Chair and  
24 Treasurer, the Chair shall announce the results of the Board Officer election to the membership after the  
25 Board meeting.  
26

27 In the event of multiple nominations for any Officer position, the Executive Director shall call for a  
28 separate vote on each Officer position including Chair, Vice Chair, and Treasurer. In the event that two

29 candidates are nominated for any Officer position, upon *majority* vote of the Board members present, the  
30 Executive Director shall certify the results of the board election and announce the Officers for the new  
31 Board.

32  
33 However, in the event that *three or more candidates* are nominated for any Officer position, upon  
34 *plurality* vote of the Board members present, the Executive Director shall certify the results of the board  
35 election and announce the Officers for the new Board.

36  
37 The terms of office for the Chair, Vice Chair, and Treasurer shall be one (1) year, which shall run  
38 concurrently with their terms as Board members and shall be subject to the same limitations of Board  
39 service tenure.

## **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. Notice may be  
6 waived by a writing signed by the person or persons entitled to such notice, whether before or after the  
7 time stated therein. Delivery of notice may be made by electronic transmissions and electronic signatures  
8 shall be considered valid signatures.

#### **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.