

Montana Cutting Horse Association, Inc.
Constitution
Revised Sept 2021

Article I – Name and Purpose

Section 1: The name of this association shall be Montana Cutting Horse Association, Inc., hereinafter referred to as the “MCHA” or this “Association”.

Section 2: The purpose of this Association shall be to encourage education in equine activities, interest in cutting horses and to promote the sport of cutting in and around the State of Montana as hereinafter specified:

- a. By providing a venue for equine education,
- b. By promoting cutting horse contests,
- c. To encourage the development of, and public interest in, better horses and the ever increasing popularity of the true cutting horse,
- d. By encouraging cutting horse contests wherever such contest shall be deemed to be in the public interest and by offering year-end awards as deemed appropriate,
- e. By assisting the producers and managers of any approved contest in organizing and running such contest,
- f. By striving to maintain a high standard of sportsmanship and fair play in the conduct of approved contests,
- g. And by understanding any other actions which will further the purposes herein set forth.

Section 3: Any person, firm, or corporation having joined this Association shall be subject to expulsion or suspension from the MCHA as provided by this Constitution (also sometimes referenced to herein as “these By-Laws”) and those of the National Cutting Horse Association (“NCHA”). Members of the MCHA shall be admitted, retained and expelled in accordance with such rules and regulations (herein collectively, “the Rules”) as the Board of Directors and membership may from time to time adopt. Upon a unanimous vote of the Board of Directors present, suspension shall be immediate and while in suspension any points or earnings (herein collectively, “Points”) earned by a member shall not count toward any award and shall be forfeited. All other privileges will also be denied during the period of suspension. Any member under suspension or expulsion from the NCHA will also be suspended or expelled from the MCHA. The Board of Directors may, upon majority vote, place a MCHA member on probation to be decided upon by the Board. No restriction may be placed on membership because of race, color, creed, gender, or sexual orientation.

Section 4: The principal office and legal address of this Association shall be the home or office of the Secretary of the Association.

Section 5: The Association shall have no capital stock. Membership shall be nontransferable.

Article II – Membership Dues

Section 1: Any individual, firm or corporation may become a member of this Association.

Section 2: The Association shall have no initial membership fee, but shall assess annual membership dues for each fiscal year in such amounts as the Board of Directors shall from time to time determine in advance by majority vote.

Section 3: Any youth 18 years of age and younger at the beginning of the year may become a Youth Member of the MCHA. Membership dues shall be determined by the Board of Directors. A youth membership shall entitle the youth to be included in the year-end standings of all the MCHA classes.

Section 4: Each member shall pay annual dues in an amount approved by the Board of Directors. If payment of dues is not made by May 1 of the current show year, earnings won earlier in the year at MCHA produced or approved shows will not be counted toward MCHA year-end standings. If payment is made after May 1, all membership rights and privileges commence from the date of payment and continue to year-end. Payment shall be determined by the date of hand delivery or postmark.

Section 5: The fiscal year of the MCHA shall be concurrent with the NCHA fiscal year. The MCHA point year will be concurrent with the NCHA point year. There will be no show approval given by MCHA after the year-end awards have been given, until the beginning of the new point year. All MCHA shows must be approved by the Board of Directors as provided in the Rules.

Section 6: NCHA membership is required to compete in the NCHA classes, pursuant to NCHA Rules and Regulations.

Article III – Meetings of the Membership

Section 1: Each member who has paid his/her current dues shall be considered to be in good standing.

Section 2: A single adult membership shall entitle the member to one vote.

Section 3: A youth membership does not entitle the youth member to vote at any meeting of the membership. A youth holding an adult membership is entitled to one vote.

Section 4: A family membership shall entitle the family to 1 vote.

Section 5: The annual meeting of the members of this Association (“Annual Meeting”) shall be held at a time and place designated by the Board of Directors. Whenever possible, such meetings shall be held following a cutting horse contest, during the fall of each year. Written notice of such meetings shall be given by the Secretary thirty (30) days prior to the date thereof.

Section 6: Special meetings of the members of this Association may be called by the President or any three (3) board members, at any time or place upon ten (10) days written notice; or a special meeting of the members may be called by a signed petition by not less than 1/3 of the total members residing in Montana at a time and place designated by them with not less than fourteen (14) days written notice to all members.

Section 7: Fifteen (15) members shall constitute a quorum at any such meeting and a majority of such quorum shall decide any question that may arise. All membership meetings may be adjourned from day to day and time to time until a quorum is present.

Section 8: Method of Election:

- 1) Not less than thirty (30) days prior to the Annual Meeting of the members, the President shall appoint a Nominating Committee consisting of three members in good standing. The membership shall be informed of the nominating committee members at the time they are appointed so that interested parties may contact the committee members regarding candidates. The term of the members of the nominating committee will expire following the annual election.
- 2) The nominating committee shall prepare a list of one or more persons for each office and each position on the Board of Directors and present to the membership at the annual meeting. Additional candidates may be nominated at the meeting.
- 3) No later than seven (7) days after the annual meeting, an electronic ballot shall be emailed to the members in good standing by a disinterested third part. Disinterested third party shall be defined as a private company or person(s) not running for any position on the board and not related to any person running for a position on the board. The electronic ballot must provide for the confidentiality and security of the voting process. The electronic ballot will allow members the option to vote for a write in candidate. No paper ballots will be prepared or accepted.
- 4) Members will have thirty (30) days to vote by electronic ballot for the candidates of their choice.
- 5) Board positions will be filled by the candidates receiving a majority of the votes cast.

Section 9: The order of business at any meeting of the members shall be as follows:

1. Meeting called to order
2. Roll call
3. Proof of due notice
4. Reading of the minutes
5. Report of Officers, Directors & Committees
6. Election (if any)
7. Unfinished business
8. New business
9. Adjournment

In all meetings of the MCHA, Roberts Rules of Order of Parliamentary Procedure, Revised, shall be used to conduct the meetings, unless otherwise provided by these By-Laws.

Article IV – Directors and Meetings of the Directors

Section 1: The Board of Directors shall consist of two (2) officers; President and Vice-President and seven (7) elected Board members. All members of the Board of Directors must be in good standing with the MCHA and in good standing with the NCHA. The Directors shall be elected by a majority vote of the membership that voted. Each MCHA member shall have the right to vote with one vote each for as many persons as there are Directors to be elected to the Board of Directors, but no cumulative voting shall be allowed.

Section 2: In case of any vacancy in the Board of Directors by death, resignation, disqualification, increase in number or other cause, the remaining Directors, by affirmative vote of the majority present, will elect a successor at their next meeting.

Section 3: The term of office for Directors shall be two (2) years and shall be staggered terms.

The term for President and Vice President shall be one (1) year. After their 1 year term, the Vice President will automatically move into the President position for one year and the President will automatically move into a 1 year Director position. Therefore, each year we will vote for one Vice President and 3 Director Positions. Directors may not succeed themselves. Once having served a full two (2) year term a Director is not eligible to run for Director for one (1) year but may run for another position. A Director may run for an officer position without having to resign his / her Director position. In the event such Director is not elected to such officer position he / she may serve the remainder of his / her Director term. In the event he/she is elected to such officer position, his/her Director position shall be deemed to have been resigned and such vacancy shall be filled as provided in Article IV, Section 2 above.

Section 4: The Board of Directors shall manage the affairs of the MCHA and is empowered to transact any business within the scope of such a Board in representing the entire membership by its actions.

Section 5: Any Director who is absent from three (3) Directors meetings per year may be removed as a Director. At their next meeting the Board of Directors may appoint another person by a majority vote of the Board to fill the vacancy for the remainder of the term. An excused absence for extenuating circumstances may be taken into account.

Section 6: The Directors of the MCHA shall hold meetings at least semiannually or as often as deemed necessary by the Board of Directors or the President. The President or any three (3) Board members may call a meeting. The Board meetings are open to all members to attend but written notice to be included on the agenda is required for participation. The Directors may meet telephonically.

Section 6.1: The Board of Directors or any designated committee may participate in a Board or committee meeting by means of a conference telephone or similar communications equipment, provided all persons entitled to participate in the meeting received notice of the telephone meeting. A Director participating in a conference or telephone meeting is deemed in person at the meeting. The president or chairperson of the meeting may establish reasonable rules as to conducting the meeting by phone.

Section 6.2: Upon circumstances requiring immediate action or decision by the Board, the President or Secretary may poll all Directors by phone or email to seek their input and vote on an issue. If all Directors consent to this procedure upon being contacted by the President, then the Directors shall be deemed to have acted at a normal Director's meeting or telephonic meeting.

Section 7: A quorum at any meeting of the Directors shall consist of a majority of the duly elected Directors. A majority of such quorum shall decide any question that may come before such meetings, except in matters of suspension where an unanimous vote is required, or except in other matters where the Constitution or Rules specifically require a vote greater than the majority.

Section 8: The order of business of all meetings of the Board of Directors shall be as follows:

1. Meeting called to order
2. Roll call
3. Reading and disposal of minutes
4. Report of officers and committees
5. Election (if any)
6. Unfinished business
7. New business
8. Adjournment

In all meetings of the MCHA, Roberts Rules of Order of Parliamentary Procedure, Revised, shall be used to conduct the meetings, unless otherwise provided by these By-Laws.

Section 9: At the beginning of each calendar year the Board shall prepare and approve a proposed budget for the year. Approval of such budget shall require a majority vote by the Board.

Section 10: Unless specifically provided otherwise herein or in the Rules, any matter requiring determination or approval by the Board hereunder may be determined or approved by a majority vote of the Board.

Article V – Officers

Section 1: The officers consisting of the President and Vice-President; shall be elected by the membership as provided in Article III, Section 8, above.

Section 2: The outgoing President will automatically become a member of the Board of Directors for a one year term as provided in Article IV, Section 3 above. The President, Vice President and Directors' terms shall be as provided in Article IV, Section 3, above. The Executive Secretary-Treasurer shall be appointed by the Board of Directors of MCHA. Officer and Director terms of office shall be concurrent with the calendar year.

Section 3: The President shall normally preside at all meetings of the members or Directors of the MCHA. He/she shall appoint all committees except as herein specified and conduct all business in accordance with the By-Laws of this Association. He/she shall be an ex-officio member of all committees, and shall perform such other duties usually inherent in such office.

Section 4: The Vice-President shall perform the duties of the President when the President is absent from any meeting of the members or Directors.

- a. The Vice-President shall be chairman of the Show Committee. He/she shall organize the cutting schedule and make appropriate contact with show management, advising and assisting them when possible.
- b. He/she shall perform such other duties as the President may direct.

Section 5: The Executive Secretary-Treasurer will be hired by the Board of Directors and will be a non-voting position. The Executive Secretary-Treasurer shall keep the minutes of all meetings of members and Directors and keep and safeguard the records of this Association. He/she shall publish the approved minutes of meetings on the MCHA website and shall issue all notices of meetings of members and Directors including an agenda; keep the membership rolls; issue memberships; receive and provide safekeeping for the funds of the MCHA; keep a yearly point system of horses and riders qualifying for the high point awards of the year; and perform all other duties and services pertaining to his/her office. The Secretary-Treasurer shall be bonded for an appropriate amount as deemed necessary by the Board of Directors.

Section 6: No officer or director shall vote on or otherwise participate in any contracts, discussions or arrangements wherein he/she would financially benefit from such an arrangement, or wherein any family member would realize financial gain.

Section 7: Any vacancy among the officers of this association caused by the death or resignation of an officer shall be filled at the next meeting by the Board of Directors for the unexpired term of a vacancy so created.

Article VI – Amendments

Section 1: Any By-Laws may be repealed, modified or amended; and new By-Laws may be adopted at any Annual Meetings of the members of this Association, or at any special meeting of the members called for such purpose, provided that the proposed repeal, modification, amendment or new By-Law(s) is presented in writing to the Secretary sixty (60) days prior to the Annual Meeting or special meeting. The Secretary will in turn send written notice of the proposed modification, amendment or new By-Law(s) to all members thirty (30) days prior to the Annual Meeting or special meeting.

Article VII – Dissolution

Section 1: This association may be dissolved by a unanimous vote by the Board of Directors and ratified by a majority vote of the current membership. In the event there has been no substantial activity of this association for a three-year period, the ratification by the membership will be deemed unnecessary.

Upon dissolution of this association, all assets of any kind, form or nature are to be turned over to a public charity exempt from income tax under Internal Revenue Service code 501 (c)(3), at the direction of the majority of the board members.

Article VIII – Notices

Section 1: All written or other notices required under these By-laws or under the Rules may be provided by the MCHA via email or by publication on the MCHA website.

Montana Cutting Horse Association, Inc.
Rules and Regulations
Revised October 2019

1. Any contest approved by this Association must be executed by the rules of the National Cutting Horse Association (NCHA).
2. All shows sanctioned by MCHA must also be approved by NCHA and must have a minimum of \$200 added purse in the Open and Non-Pro each day, unless specially approved by a majority vote of the Board of Directors.
3. All shows in the MCHA must offer all the NCHA approved classes unless specially approved by a majority vote of the Board of Directors.
4. Applications for MCHA approval of a show to be held anytime during a calendar year shall be submitted to the MCHA Vice President for consideration by the current incumbent MCHA Board. Applications for approval of an in-state Montana show shall be determined by a majority vote of the Board. Out-of-state shows must be approved by a unanimous vote of the Board of Directors. The MCHA Board will give priority (not guarantee) to show locations and dates that took place in the previous year when voting on approval of shows. Priority applies between requests for the same dates assuming that both requests are acceptable/desirable shows.
5. If a show management does not desire to seek NCHA approval, we nevertheless, will encourage and strongly support their cutting activities. Notice of such events will not be counted toward MCHA awards.
6. All NCHA judges will also be approved by the MCHA.
7. All MCHA judges must be NCHA approved judges.
8. All applications for MCHA show approvals must be received by the MCHA Secretary at least fifty (50) days prior to the cutting or fifty (50) days before closing day of entries, whichever is earlier and advertised to the members at least twenty-one (21) days before closing day for entries. Approvals and advertisement must include purses, judges, starting time, entry deadline, classes and fees therein.
9. Entry fees, less authorized deductions, shall be added to the purse. If any charge is to be made other than entry fees, it must be stated as a stall, handling, stock, or office charge, and must be separated from the entry fee.
10. MCHA approval fees are \$4.00 per horse entry per MCHA approved class LESS MCHA memberships collected. If total memberships collected by a producer are less than \$4.00 per horse entry per MCHA approved class, the show producer is responsible for paying the deficiency. If total memberships collected by a producer are greater than \$4.00 per horse entry per MCHA approved class, the show producer is not required to pay an approval fee. Reciprocal show approval agreements or other arrangements deemed to be in the financial interest of MCHA may also be approved by the Board of Directors. Any approval fees owed shall be sent to the MCHA Secretary-Treasurer along with the results of the show within ten (10) days of the close of the show. The show secretary is responsible for submitting approval and results to the NCHA.

11. Pay-offs for all MCHA approved cutting contests will be one (1) money for every three (3) horses entered, unless otherwise advertised by the show management, or where the NCHA pay-off schedule takes precedence.

12. Any entrant in a show wishing to withdraw from the contest must do so before the positions have been drawn. If the entrant's name goes in the draw, then that entrant is obligated to pay the entire entry fee, including cattle charge and office charge to the show management as his/her entry fee would have been figured in the pay-off. If the entry is not paid to show management, said entrant shall be denied any privileges of membership and will be suspended until said entry fee is paid.

13. Before the first approved show of each season, the Board of Directors shall determine and publish in the newsletter the classes in which year-end awards will be presented at the close of the season.

14. When there are several riders who are all MCHA members riding a horse owned by a MCHA member, the accumulative monies won by all riders for the horse will be recognized.

15. The eligibility of horse and/or rider to enter specified cutting classes will be based on the lifetime earnings of said horse or rider on January 1st of the fiscal year in which the contest is held, according to NCHA official records. NCHA RECORDS WILL TAKE PRECEDENCE OVER ANY MCHA RECORDS.

16. Each individual must furnish verification of his/her own eligibility, or his/her misrepresentation will result in automatic suspension for a period to be determined by the Board of Directors.

17. Any person making a protest on the eligibility of any horse shall be responsible for notifying MCHA. If the horse in question is ineligible, the owner should be responsible for paying for the inquiry.

18. The MCHA will use the Intermountain Quarter Horse Association point award system for tabulating winners for the Youth Year-End awards.

19. The Rules Committee will consist of the elected Directors of the MCHA.

20. In the event any such NCHA standing rules are issued, the name of the MCHA shall be used where the name NCHA is used and wherever the term "Executive Committee" is used the term "Directors of MCHA" shall be substituted.

21. All MCHA rules will work in conjunction with NCHA rules.

22. Both the owner AND rider of a horse must have an MCHA membership and be in good standing with MCHA to show at an MCHA produced show or an MCHA in-state approved show and to be eligible for year-end awards.