

ATV MINNESOTA BY-LAWS *(Amended 09/18/21)*

ARTICLE I - ORGANIZATION AND PURPOSE *(Amended 09/21/19)*

- Section 1 This Association shall be known as the All-Terrain Vehicle Association of Minnesota, Inc., d/b/a ATVAM and d/b/a ATV Minnesota, and hereinafter referred to as ATV MN. *(Amended 09/22/18, 09/21/19, 09/18/21)*
- Section 2 ATV MN is a non-profit corporation organized under Minnesota Statutes Chapter 317A (MS 317A and, with the exceptions noted in these bylaws, is subject to the provisions of that statute.) *(Amended 09/18/21)*
- Section 3 Any section of these bylaws in conflict with MS 317A shall be null and void, but all other sections shall remain in effect.
- Section 4 The purposes of ATV MN are as follows: *(Amended 09/18/21)*
1. Advocate for ATV recreation with a focus on the benefits of responsible behavior.
 2. Promote ATV recreation as a fun, safe, social experience which generates friendships and strengthens family relationships and community partnerships; and organize fun MN ATV rides and events for all ATV MN members. *(Amended 09/18/21)*
 3. Advance and foster the increasing recognition and acceptance that ATV recreation is an important component within the recreational opportunities, recreational system, and economy of the State of Minnesota.
 4. Assist in the establishment of new clubs and strengthening of existing clubs which share the vision and values of ATV MN. *(Amended 09/18/21)*
 5. Promote the safe use of ATVs and partner in the ATV adult and youth rider safety training program in Minnesota.
 6. Promote responsible ATV use and rider behavior regarding respect for the environment, other recreational uses and the law.
 7. Serve as a source of information regarding ATV recreation, clubs, activities, and significant issues regarding the sport.
 8. Participate in the legislative process and public agency planning or actions on matters which affect ATV recreation. *(Amended 09/21/19)*
- Section 5 All references to members of the State Board of Directors shall mean all Regional Directors, all ATV MN Club Member Representatives, and the elected State Officers as

set forth in these by-laws. The elected State Officers shall hereinafter be known as the Executive Board. *(Amended 09/18/10, 09/21/19, 09/18/21)*

ARTICLE II - MEMBERSHIP

Section 1 Membership is open to any individual, family and business supporting the purposes of ATV MN outlined in Section 4 of Article 1. An individual may have memberships in ATV MN in multiple membership classes and have the rights provided by each membership class, but in no case shall have more than one vote. Different classes of membership are as follows: *(Amended 09/21/19, 09/18/21)*

1. Individual Membership - shall be provided to any individual, 18 years of age or above, interested in all-terrain vehicle use. *(Amended 03/06/11)*
2. Family Membership - Family or anyone living in the immediate household and their children under the age of eighteen (18). However, only the member and their spouses or significant other shall have voting rights.
3. Lifetime Membership
 - A. Individual – Shall be provided to any individual, 18 years of age or above, interested in all-terrain vehicle use. *(Amended 09/22/18)*
 - B. Family - This membership is for the family or anyone living in the immediate household. This includes children until they reach 18 years of age. *(Amended 09/22/18)*
 - C. Business – Shall be provided to any business or corporation, interested in all-terrain vehicle use. Shall have one vote, and not hold an executive office. *(Amended 09/22/18, 09/21/19)*
4. Business Membership - shall be provided to any business or corporation interested in all-terrain vehicle use. Shall pay annual business dues, shall have one vote and not hold an executive office. *(Amended 03/06/11, 09/21/19)*
5. Honorary Membership - may be designated by the State Board of Directors to any other person who actively supports the purposes of this Association, as defined in these by-laws. Honorary members shall not pay dues, are without vote, and shall not hold office. *(Amended 03/06/11)*
6. ATV MN Club Membership - shall be provided to any Minnesota ATV club which offers membership to the general public; is organized and operates under adopted by-laws; conducts its activities in a manner that furthers the vision, mission and values adopted by ATV MN; and whose club officers have an individual or family membership in ATV MN. ATV MN Club Membership is without a general membership vote; and does not qualify to hold the office of a Regional Director or an executive office. *(Amended 09/21/19, 09/18/21)*

- Section 2 All members in good standing are those members whose current dues have been paid in full. All members in good standing shall have full voting rights with the following qualifications: *(Amended 03/06/11, 09/21/19)*
1. To be eligible to vote at an election, members must be in good standing for 90 consecutive days prior to an election. *(Amended 03/06/11)*
 2. To be eligible for an Executive Board position, members must be in good standing for 180 consecutive days prior to an election. *(Amended 03/06/11)*
- Section 3 A member may resign from the Association at any time upon written notice presented to the State Board of Directors. The resignation is immediately effective without acceptance unless a later time is specified in the notice. *(Amended 03/06/11)*
- Section 4 Members or ATV MN Club Members acting contrary to conditions of these bylaws will be subject to disciplinary actions up to and including expulsion as deemed necessary by the State Board of Directors and by two-thirds majority vote of those members present at the special meeting. *(Amended 03/06/11, 09/21/19, 09/18/21)*

ARTICLE III - DUES

- Section 1 The annual dues for all classifications of members shall be determined by the State Board of Directors.
- Section 2 The annual dues shall be for a period of one year beginning on the first of the month following receipt and acceptance of the membership application and dues by ATV MN. *(Amended 09/22/18, 09/21/19, 09/18/21)*
- Section 3 Membership renewals not paid in full by the date of expiration shall be forfeited. *(Amended 09/22/18)*
- Section 4 Clubs collecting ATV MN individual, family and business memberships on behalf of ATV MN must submit membership information and dues on a regular basis and at least quarterly. *(Amended 09/22/18, 09/21/19, 09/18/21)*
- Section 5 All membership dues are non-refundable. *(Amended 09/22/18)*

ARTICLE IV - FISCAL YEAR AND FINANCE

- Section 1 The fiscal year of ATV MN shall be May 1st to April 30th of each year. *(Amended 09/18/10, 09/18/21)*
- Section 2 An annual review or audit, as required by state or federal statute, of the financial records of ATV MN shall be conducted by an Independent Public Accountant determined by the State Board of Directors following the end of the fiscal year. If the State Board of Directors determines ATV MN cannot afford an Independent Public Accountant, the State Board of Directors shall appoint one member of the Executive Board, excluding the ATV MN

Treasurer, and appoint two to four ATV MN members in good standing to conduct the audit. *(Amended 09/18/10, 09/21/19, 09/18/21)*

- Section 3 ATV MN shall be authorized to receive or accept financial contributions or services in kind from any member organization. ATV MN shall also be authorized to receive or accept financial contributions or services in kind from any outside organization without incurring any obligation to that organization, unless prohibited by the State Board of Directors. *(Amended 09/18/10, 09/18/21)*
- Section 4 The financial operation of ATV MN shall be administered through the preparation of an Annual Budget. The budget shall be presented and approved by the State Board of Directors at the annual meeting in March. *(Amended 09/18/10, 09/18/21)*
- Section 5 The State Board of Directors may authorize the expenditure of ATV MN funds in the furtherance of the purposes of this organization. In those instances when prior approval of expenditures not exceeding \$200.00 for a single purpose is not possible, said expenditures must be presented at the next State Board of Directors meeting for retroactive approval. All expenditures in this category shall be uniquely identified on the Treasurer's report. *(Amended 09/18/10, 09/18/21)*
- Section 6 All encumbrances upon ATV MN in the form of obligatory debt must have prior approval by the State Board of Directors. *(Amended 09/18/10, 09/18/21)*

ARTICLE V - MANAGEMENT

- Section 1 The Management of ATV MN shall be vested in the State Board of Directors. *(Amended 09/18/10, 09/18/21)*
- Section 2 Day-to-day direction of ATV MN shall be the responsibility of the Executive Board, as delegated by the State Board of Directors. *(Amended 09/18/10, 09/18/21)*
- Section 3 The State Board of Directors shall oversee the Executive Board. *(Amended 09/18/10, 09/21/19)*

ARTICLE VI - STATE BOARD OF DIRECTORS

- Section 1 The State Board of Directors shall be made up of Regional Directors, ATV MN Club Member Representatives, and the Executive Board. *(Amended 03/06/11, 09/21/19, 09/18/21)*
- Section 2 The State Board of Directors shall assume the roles and responsibilities set forth by the Executive Board. *(Amended 09/21/19)*
- Section 3 ATV MN Club Representative: Any ATV MN Club Member, as provided for in Article II – Membership, Section 1, Paragraph 6, may designate one of its club members to serve as a voting member of the State Board of Directors. This individual must be a member of ATV MN in good standing. If the ATV MN club does not designate a representative, then the club president shall act as the representative. Each club shall be entitled to only one

representative and may identify one alternate who has one vote on the State Board of Directors. *(Amended 09/22/18, 09/18/21)*

Section 4 No person shall serve concurrently as a Regional Director and an Executive Officer. *(Amended 03/06/11, 09/21/19, 09/18/21)*

Section 5 The State Board of Directors shall meet in person or through a remote meeting means at least four (4) times each year at such time and place as may be fixed by resolution of the State Board of Directors. At least five (5) of the combined Officers, Regional Directors, and ATV MN Club Representatives must be present to constitute a quorum. Each Regional Director, each ATV MN Club Representative and each member of the Executive Board present shall have one (1) vote. *(Amended 03/06/11, 09/21/19, 09/18/21)*

Section 6 The State Board of Directors may enter into contract with whatever person(s) they deem necessary to aid in the operation of ATV MN, and for which funds are available, and whose duties and compensation shall be specified and approved by majority vote of the State Board of Directors present at a meeting. *(Amended 03/06/11, 09/18/21)*

ARTICLE VII - REGIONAL ORGANIZATION

Section 1 ATV MN defines the state into regions. *(Amended 09/22/18, 09/18/21)*

Section 2 All defined Regions shall have one Regional Director for every four ATV clubs, except in cases where the Executive Board determines a different number of directors is needed. *(Amended 09/18/10, 09/21/19)*

Section 3 The Regional Director(s) from each Region shall be recommended by the members of ATV MN in good standing and presented to the State Director or President and subject to approval by the State Board of Directors. This individual must be a member of ATV MN in good standing and shall become a member of the State Board of Directors. *(Amended 09/22/18, 09/18/21, 09/18/21)*

Section 4 Regional Director(s) shall hold a term of two (2) years ending at the Annual Meeting in March following the end of their term. At the end of said term the Regional Director(s) may be reappointed by 2/3 majority vote of the State Board of Directors present at the annual meeting in March. *(Amended 09/18/10)*

Section 5 The number of consecutive terms for a Regional Director shall not be limited unless that person's actions warrant such limitation. The State Director or President has the responsibility to bring issues to the State Board of Directors for appropriate action or to remove a Regional Director from their position. *(Amended 09/18/10, 09/18/21)*

Section 6 A Regional Director may resign from ATV MN at any time upon written notice presented to the State Board of Directors. The resignation is immediately effective without acceptance unless a later time is specified in the notice. *(Amended 09/18/10, 09/18/21)*

ARTICLE VIII - STATE OFFICERS

- Section 1 The State Officers of ATV MN shall be: President, First Vice President, Second Vice President, Secretary, Treasurer, and State Director. They shall serve as the Executive Board. *(Amended 09/18/10, 09/21/19, 09/18/21)*
- Section 2 The Executive Board will meet as needed to manage the day-to-day direction of ATV MN. Meetings may be called by the President or three members. Four Executive Board members must be present to constitute a quorum for meetings. *(Amended 09/21/19, 09/18/21)*
- Section 3 All State Officers shall be elected from among the members in good standing present at the Annual Meeting in September. The President, First Vice President and Secretary shall be elected on even number of years for a two-year term, and Second Vice President, Treasurer, and State Director shall be elected on odd number of years for a two-year term. An officer shall forfeit his/her office upon ceasing to be a member in good standing of ATV MN. The officers will be elected by the majority of the members present (refer to Article II Section 2). *(Amended 09/22/18, 09/18/21)*
- Section 4 The election of State Officers shall be carried out in accordance with the ATV MN Election Procedures and administered by the Elections Committee. *(Amended 09/21/19, 09/18/21)*
- Section 5 All State Officers shall hold office until expiration of the term and until successor is elected and qualified or until earlier death, resignation, removal or disqualification of the officer. The regular term of office shall expire 30 days after the election. *(Amended 09/18/10, 09/18/21)*
- Section 6 State Officer(s) may hold the same office for unlimited elected terms.
- Section 7 Any Executive Officer may be removed from office by the affirmative vote of two-thirds of the State Board of Directors. If the President is unable to complete his/her term, the First Vice-President shall fill remainder of that term, then the Second Vice President shall succeed to the First Vice-President position for the remainder of that term. The State Board of Directors shall appoint a successor for the Second Vice President position for the remainder of that term. *(Amended 09/18/10)*
- Section 8 The President shall preside at all board meetings of ATV MN, if present. The President shall appoint committees as authorized by these by-laws and shall be an ex-officio member of all committees. The President shall send notices of general membership, Board of Directors and Executive Board meetings and carry out those other responsibilities assigned by these by-laws and by the State Board of Directors. Some duties of the President may be assigned to staff by the Executive Board. The President shall vote only in the cases of ties. *(Amended 09/18/10, 09/21/19, 09/18/21)*
- Section 9 The First Vice-President shall, during the absence or temporary incapacity of the President, perform the duties and have the powers of the President; shall be in charge of all promoting and recruiting for the betterment of ATV MN under the direction of the President or the State Board of Directors and shall perform other duties as requested by the President or the State Board of Directors. *(Amended 09/18/10, 09/18/21)*

- Section 10 The Second Vice-President shall, during the absence or temporary incapacity of the First Vice-President, perform the duties and have the powers of the First Vice President; and shall perform other duties as requested by the President or the State Board of Directors. In the event the Second Vice-President cannot fulfill his/her term, refer to Article 8, Section 7. *(Amended 09/18/10)*
- Section 11 The Secretary shall keep all of ATV MN's records, other than financial, including the minutes of all general membership, State Board of Directors, and Executive Board meetings. Shall keep lists of all committees and their members and discharge all of the usual functions of the office as required by these by-laws, the President, or the State Board of Directors. Some duties of the Secretary may be assigned to staff by the Executive Board. In the event the Secretary cannot fulfill his/her term the State Board of Directors shall appoint a successor to fill the remainder of the term. *(Amended 09/18/10, 09/21/19, 09/18/21)*
- Section 12 The Treasurer shall keep the accounts of ATV MN and have charge of its funds; shall keep all of ATV MN funds in a bank account approved by the State Board of Directors and in the name of ATV MN, subject to the withdrawal by checks signed in such a manner as may be designated by State Board of Directors; shall disburse the funds of ATV MN under the direction of the State Board of Directors; and shall receive all applications and maintain a roster of membership. A Treasurer's Report, including a financial recap of all ATV MN events, shall be prepared for each State Board of Directors meeting and an annual report shall be prepared and submitted at the Annual Meeting. All financial books will be audited annually, as designated by the State Board of Directors. Some duties of the Treasurer may be assigned to staff by the Executive Board. In the event the Treasurer is unable to fulfill his/her term the State Board of Directors shall appoint a successor to fill the remainder of the term. *(Amended 09/18/10, 09/21/19, 09/18/21)*
- Section 13 The State Director shall be responsible for regional organization and meetings; recruiting new Regional Directors, providing training on the responsibilities of Regional Directors, and evaluating Regional Directors; working with Regional Directors to promote and assist in the organization of new clubs; provide assistance to clubs with club management, project planning and development and accessing resources; shall assist in the public relations activities of ATV MN under the direction of the President or the State Board of Directors; and shall perform other duties as requested by the President or the State Board of Directors. In the event the State Director is unable to fulfill his/her term, the State Board of Directors shall appoint a successor to fill the remainder of the term. *(Amended 09/18/10, 09/18/21)*
- Section 14 All State Officers shall have duties as may be required by statutes of law or these by-laws. *(Amended 09/18/10)*

ARTICLE IX - COMMITTEES

- Section 1 The State Board of Directors may create standing committees which are permanent committees responsible for particular ongoing duties, consisting of, but not limited to:
- a. Legislative
 - b. Media & Marketing
 - c. DNR Relations
 - d. Membership
 - e. Events

- f. Elections
 - g. Finance
 - h. Constitution and By-laws/Policies
 - i. Asset Management
- (Amended 09/22/18, 09/21/19)*

Section 2 The State Board of Directors may create temporary committees for the purpose of a particular task(s) or function(s) for a specified time or until its purpose is accomplished.
(Amended 09/21/19)

ARTICLE X – GENERAL MEMBERSHIP MEETINGS

Section 1 There will be General Membership meetings held in March and September each year. The actual date and place shall be determined by the State Board of Directors. A notice of the general membership meeting shall be provided at least 60 days prior to such meeting.
(Amended 09/22/18, 09/21/19)

Section 2 Special meetings of the general membership may be called between regular meetings for a special purpose other than those pertaining to day-to-day operations, by any three (3) members of the State Board of Directors, or by the President. Notice must be given at least 7 days prior to said meeting, by written and/or electronic notice of the time, place, and purpose to the entire State Board of Directors prior to such Special meeting. Only the business specified in the notice may be transacted. All special meetings will be held on the second weekend after date of notice and in a central geographical location in Minnesota. At least five (5) of the combined Regional Directors and ATV MN Club Representatives must be present, and at least two (2) of the Executive Officers must be present to constitute a quorum for special meetings. *(Amended 03/06/11, 09/21/19, 09/18/21)*

Section 3 When meetings require general membership vote, votes shall pass or fail based on a majority of those members in good standing present. Each individual and family member in good standing shall have one (1) vote. *(Amended 03/06/11, 09/21/19)*

ARTICLE XI - CONDUCT OF MEETINGS

Section 1 All meetings of the ATV MN general membership, State Board of Directors and Executive Board shall be conducted under the procedures prescribed in Robert's Rules of Order, Revised. *(Amended 09/18/10, 09/21/19, 09/18/21)*

Section 2 The minutes of all ATV MN general membership, State Board of Directors and Executive Board meetings shall be distributed in written and/or electronic form to the State Board of Directors, within 7 days of the meeting. *(Amended 09/22/18, 09/21/19, 09/18/21)*

ARTICLE XII - SUPPORT OF OTHER ORGANIZATIONS

Section 1 ATV MN may lend support to any organization when it is deemed necessary to be in the best interest of ATV MN, and subject to approval by the State Board of Directors.
(Amended 09/18/10, 09/18/21)

ARTICLE XIII - AMENDMENTS

Section 1 The by-laws may be altered, amended, or repealed and new by-laws adopted by a simple majority of the members in good standing present at any General Membership, or Special Meeting of the membership. However, before the presentation of changes, they must be reviewed by the State Board of Directors within 30 days of receipt and made available to the general membership at least 30 days prior to general membership meeting. *(Amended 09/22/18, 09/21/19)*

ARTICLE XIV - DISSOLUTION

Section 1 In the event that ATV MN disbands, all assets shall be disbursed to non-profit organizations as directed by the State Board of Directors. *(Amended 09/18/10, 09/18/21)*

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- These by-laws were approved by a majority of the members of the Minnesota Three Wheelers Association, Inc. present at a meeting held May 5, 1984.

s/Harla Lemmerman, Secretary

- These by-laws were amended at the Annual meeting of the Association held May 7, 1988.

s/Floyd Gillen, Secretary

- These by-laws were amended at the Annual meeting of the Association held May 5, 1990.

s/Floyd Gillen, Secretary

- These by-laws were amended at the Regular meeting of the Association held Dec. 4, 1990. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Mark Braunschweig, Secretary

- These by-laws were amended at the General Meeting of the Association held Sept. 21, 1992. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Floyd Gillen, Secretary

- These by-laws were amended at the annual meeting of the Association held May, 1995. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Todd Craft, Bylaws Chairperson

- These by-laws were amended at the annual meeting of the Association held September, 1995. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Todd Craft, Bylaws Chairperson

- These by-laws were amended at the annual meeting of the Association held May, 1996. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Todd Craft, Bylaws Chairperson

- These by-laws were amended at the annual meeting of the Association held May, 1998. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Todd Craft, Bylaws Chairperson

- These by-laws were amended at the annual meeting of the Association held May, 2000. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Dave Bartz, Treasurer

- These by-laws were amended at the annual meeting of the Association held September, 2000. Previous notice of intent to amend the by-laws was published in a timely manner.

S/Audrey Eischen, Secretary

- These by-laws were amended at the annual meeting of the Association held May, 2003. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Sonia Bartz, Treasurer

- These by-laws were amended at the annual meeting of the Association held September, 2007. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Sherry Miller, Secretary

- These by-laws were amended at the annual meeting of the Association held September, 2008. Previous notice of intent to amend the by-laws was published in a timely manner.

s/Sherry Miller, Secretary

- These by-laws were amended at the annual meeting of the Association held September 18, 2010. Previous notice of intent to amend the by-laws was published in a timely manner.

s/David Kryzer, Bylaws Committee Chairperson

- These by-laws were amended at the annual meeting of the Association held March 6, 2011. Previous notice of intent to amend the by-laws was published in a timely manner.

s/David Kryzer, Bylaws Committee Chairperson

- These by-laws were amended at the annual meeting of the Association held September 22, 2018. Previous notice of intent to amend the by-laws was published in a timely manner.

s/David Kryzer, Bylaws Committee Chairperson

- These by-laws were amended at the annual meeting of the Association held September 21, 2019. Previous notice of intent to amend the by-laws was published in a timely manner.

s/David Kryzer, Bylaws Committee Chairperson

- These by-laws were amended at the annual meeting of the Association held September 18, 2021. Previous notice of intent to amend the by-laws was published in a timely manner.

s/David Kryzer, Bylaws Committee Chairperson

Revision
October 28, 2021