

Proposal for KVMHA By-Law Addition or Change

1. What is the Article Number and Article Title of your proposed amendment.

"Interpretation" section and definitions

2. Please provide detail wording for the new By-Law that you are proposing.

1) Interpretation

Proposed amendment/addition: Definition of "ex-officio" to be added to the interpretation section of the bylaws.

Ex officio member is someone who holds a particular position or office and is therefore entitled to certain duties or privileges without additional authorization. Ex officio members can sit on a committee and have the same rights, privileges, duties, and obligations as any other committee member. They can participate in debates, discussions, committee meetings and decision-making processes. They are permitted to vote on all matters, always acting in the organization's best interest.

3. If you are proposing a new By-Law, please provide detail wording.

This bylaw is a new addition but under the Interpretation section. It is to serve as a definition for clarification purposes.

4. What is your rationale for proposing an amendment or additional By-Law?

There is currently no definition of ex-officio which is used in certain sections of the document. This allows for different interpretations other than the official, widely accepted definition within other organizations and associations. The expanded definition provides clarity to widely accepted practices followed by most organizations and associations. This will also provide clarity to another proposed amendment under Bylaw 3: Executive Offices which will also be presented.

Proposal for KVMHA By-Law Addition or Change

1. What is the Article Number and Article Title of your proposed amendment.

By-Law Three – Executive Offices
3.01 President

2. Please provide detail wording for the new By-Law that you are proposing.

1) By-Law Three – Executive Offices

Proposed amendment/addition: Duties of President to be updated to avoid contradicting statement around ex officio member and committee participation.

3.01 President – The President shall preside at all Board meetings. He/she shall be entitled to one (1) vote except in the case of a tie when he/she shall cast a second and deciding vote. He/she shall be an ex-officio member of all Standing and Ad Hoc Committees, unless prohibited by bylaw and as an ex-officio committee member shall be entitled to vote on any question coming before the committee ~~only to break a tie~~. He/she or his/her designate will be the representative of the KVMHA to the District Five Board of Directors, the NBMHC, the Hockey New Brunswick, and subject to the by-laws, any other body or function requiring official representation. ~~The President shall not chair or sit except as an ex-officio member on any other KVMHA committee during his tenure as President.~~ In the event of a tie on any committee vote, in which the president chairs or sits, the president will not have the same privilege as his/her position on the board to break the tie and therefore the tie breaking vote will default to the vice president or his/her delegate.

3. If you are proposing a new By-Law, please provide detail wording.

4. What is your rationale for proposing an amendment or additional By-Law?

The current definition and description of the president, as it pertains to committee participation, is contradictory and misleading. The accepted definition of ex-officio member and ex-officio participation states that an ex-officio member (such as the president) is automatically included as a committee member by virtue of their position. It also states that they are permitted to chair and/or sit on any committee while holding the same rights and responsibilities as other committee members.

This clarification considers if a president is involved in a committee vote and there is a need to break a tie, the tie breaking responsibility (which is normally held by the president in board meetings) would be transferred to the vice president. This further strengthens the transparency required for a well managed committee and retains the process of an impartial tie breaking vote if required.