

Bylaws of the Association  
SECTION IV  
SECTION III  
SECTION II  
SECTION I

CONSTITUTION  
of the  
MONTANA CHESS ASSOCIATION

ARTICLE I

NAME

The name of the organization shall be "The Montana Chess Association."

ARTICLE II

OBJECT

Section I

The Association is organized exclusively for educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code of 1954, relating to the game of Chess, it being the purpose of the Association to offer instruction and training in the playing of chess. This instruction and training is to be made available to its members and others who may be interested by means of mailing printed materials conducting chess events, providing forums for discussions or lectures, and by other appropriate means. The only income to be received by the Association will be from dues from members, as provided in the *bylaws*, donations, sale of promotional items, and fees necessary to cover the costs of conducting any tournament, exhibition, demonstration or other associated activity.

Section II

No part of the income of the Association shall inure to the benefit of, or be distributable to, its members, officers or other private persons, except that the Association shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Section I above.

Section III

No part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation. The Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section IV

Notwithstanding any other provision of these Articles, the Association shall not carry on any activities not permitted to be carried on (a) by an association exempt from Federal Income Tax under Section 501(c) (3) of the Internal Revenue Code of 1954 (or corresponding provision of any future Internal Revenue Law), or (b) by a corporation, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future Internal Revenue Law).

ARTICLE III

MEMBERSHIP - QUALIFICATIONS, OBLIGATIONS, PRIVILEGES, DUES

SECTION I

All persons who deport themselves in a manner consistent with Article II may become members by the payment of the annual dues. Membership in the United States Chess Federation or any other organization is not required for MCA membership.

SECTION II

The obligations of such members are to further the art, study, and practice of chess in Montana.

SECTION III

The rights of those members who are *legal residents* of the state of Montana are:

- (a) To vote for the Officers of the Association.
- (b) To initiate *and discuss* legislation before the Board of Directors and/or membership at the Annual Meeting and during the rest of the year.
- (c) To vote upon such legislation as may be ventured by the membership body during the active year.
- (d) To vote for the addition of new members (other than Officers) to the Board of Directors.
- (e) To run for any office in the Association.
- (f) To participate in any Association activity for which they are eligible such as open or closed tournaments, postal and league play, interstate matches, etc.
- (g) To receive an MCA membership card and subscription to the official MCA newsletter in a prompt and timely fashion.

## SECTION IV

The rights of *non-resident* members are:

- (a) To participate in any Association activity for which they are eligible, such as open tournaments, simuls, etc.
- (b) To receive an MCA membership card and subscription to the official MCA newsletter in a prompt and timely fashion.

## SECTION V

*Dues:*

- (a) Dues shall be determined by the Board of Directors. The Board of Directors may designate other classes of membership and may set differences in dues for individuals in certain categories.
- (b) Dues may be paid at any time in a year and the term of membership will run for one (1) full year from the end of the month in which the dues are paid.
- (c) Dues paid in will not be refunded to any member who terminates his or her membership or whose membership is revoked or suspended.

## ARTICLE IV

### GOVERNING POWER

The governing power of the Montana Chess Association shall be vested in a Board of Directors as hereinafter provided in this constitution.

## ARTICLE V

### BOARD OF DIRECTORS

#### SECTION I

The Board of Directors shall be comprised of the Officers of the Association and any other members as described in the *bylaws*.

#### SECTION II

*Terms of Office*

The term of office of the Board of Directors shall be from the end of the Annual Meeting at which the Directors are elected until their successors are elected. There is no limit so the number of terms a member may serve on the Board of Directors.

#### SECTION III

*Powers and Duties*

- (a) It shall be the duty of the Board of Directors to advise and assist the Officers of the Association in the conduct, management and control of the affairs and business of the Association.
  - (b) The President of the Association shall act as Chairman of the Board of Directors.
  - (c) It shall be the duty of the Board of Directors to fill all vacancies occurring amongst the Officers of the Association,
  - (d) It shall be the duty of the Board of Directors to consider, discuss, and vote upon such *bylaws* as are not inconsistent with the constitution; to consider, discuss, and vote upon such legislation as recommended by the assembly at the Annual Meeting; to consider, discuss and vote upon such legislation as recommended by the Officers of the Association.
  - (e) It shall be the duty of the Board of Directors to vote by mail on such plans or legislation submitted to them as provided in Paragraph (d) or published in the official newsletter by the Officers of the Association. The official form of such proposals shall be submitted to the Directors by the Chairman of the Board, and such proposals voted upon and returned to the Chairman within 30 days. Such votes are to be mailed to the Chairman of the Board who shall forward the ballots and results to the Secretary/Treasurer for public notice through the medium of the official newsletter.
  - (f) Except as otherwise provided herein, a majority of votes cast shall decide all questions, and the Chairman shall count only votes received within the time limit. The Chairman shall vote only to break a tie vote.
  - (g) Any Officer or member of the Board of Directors may be removed from office by a majority vote of the Board of Directors. Any Officer or board member so removed may run again. If a board member is removed from office, the Chairman of the Board shall appoint a replacement within thirty (30) days. If no such replacement is made then the position will remain vacant until the next MCA election.
- A new member (other than Officers) may be added to the Board of Directors only by an affirmative vote of at least two-thirds of the qualified members as specified in Article IX, Sections I and II. The new members must be approved by a majority vote of the Officers of the Association.

## ARTICLE VI

### OFFICERS - DUTIES

#### SECTION I

*President*

The President shall:

- (a) Preside at the Annual Meeting of members.
- (b) Execute the business and promote the general welfare of the Association.
- (c) Appoint such committees as may advance Association purposes.
- (d) Settle all disputes within his power as provided in the *bylaws*.
- (e) Act as the Chairman of the Board of Directors

## SECTION II

### *Executive Vice-President*

The Executive V.P shall:

- (a) Assist the President and carry out assignments received by him.
- (b) Act in the capacity of the President during his absence.
- (c) Succeed the President in the event of his resignation or death until such vacancy is filled by the choice of the Board of Directors.

## SECTION III

### *Secretary/Treasurer*

The Secretary/Treasurer shall:

- (a) Keep minutes of all meetings.
- (b) Prepare and serve notices for all meetings.
- (c) Keep a current record of all members of the Association.
- (d) Keep a record of all correspondence, reports, ballots, etc.
- (e) Keep the membership informed of Association progress and activity through the medium of the official newsletter.
- (f) Keep a record of all equipment (boards, clocks, sets, etc.) owned by the association and perform a yearly inventory.
- (g) Keep a copy on file of all published official newsletters and maintain a general history of the Association.
- (h) Determine the eligibility, for voting purposes, of those present at the Annual Meeting.
- (i) Notify the USCF of the new State Champion(s), Junior Champions, etc. within thirty (30) days after the achievement of a title by a member.
- (j) Notify the USCF of the current delegate(s) and alternate voting members.
- (k) Keep a record of all funds collected and disbursed.
- (l) Pay such bills vouched by the President, and issue and sign checks for payment of such bills.
- (m) Deposit Association funds in a bank approved by the Board of Directors.
- (n) Disburse the Association's funds in accordance with the authority granted herein and in the *bylaws* and as appropriated by the Board of Directors, in the manner prescribed by the Board to safeguard said funds.
- (o) Prepare a financial statement for the Annual Meeting.
- (p) Perform such other duties as directed by the President.

## SECTION IV

### *Western Regional Vice-President*

The Western R.V.P. shall:

- (a) Assist the President and carry out assignments received from him.
- (b) Act in the capacity of the President during his absence, as second alternate after the Executive Vice-President.
- (c) Receive ideas, suggestions and proposals from the members primarily in the western region of Montana and convey them to the President.

## SECTION V

### *Eastern Regional Vice-President*

The Eastern R.V.P. shall:

- (a) Assist the President and carry out assignments received from him.
- (b) Act in the capacity of the President during his absence, as third alternate after the Western R.V.P
- (c) Receive ideas, suggestions and proposals from the members primarily in the eastern region of Montana and convey them to the President.

## ARTICLE VII

### ANNUAL MEETING

#### SECTION I

There shall be an annual meeting of the members of the Montana Chess Association.

#### SECTION II

Notice of this meeting and/or special meetings shall be deemed official when posted in the official newsletter of the Association at least fifteen (15) days in advance.

#### SECTION III

A quorum, except for the purpose of altering or amending this constitution, shall consist of members in person, including lawful proxies.

#### SECTION IV

Each individual member has the right to participate in the discussion of all matters of business, and is entitled to cast one vote on such matters, except that an individual member may cast more than one vote if he holds proxies from absent members.

## SECTION V

### Proxies

Members who are unable to attend meetings in person may execute signed proxies in the usual form, as described in the *bylaws*, designating a particular member to cast the vote on the matter(s) in question.

## SECTION VI

At each Annual meeting the members of the Association shall elect five (5) members to the positions of Officers as provided in Article VI. If there are no candidates for the positions of Officer(s), these positions shall remain vacant until the Board of Directors can appoint someone to the particular office. The Officers will depart themselves at the Annual meeting in a manner consistent with Robert's Rules of Order.

## ARTICLE VIII

### PUBLICATION

#### SECTION I

The official newsletter of the Montana Chess Association shall be the *MONTANA CHESS NEWS*, which shall be mailed without additional charge to every paid-up member of the Association.

#### SECTION II

The editor of the *MONTANA CHESS NEWS* shall be appointed by the Board of Directors.

#### SECTION III

The Board of Directors shall determine the publication schedule and frequency of the *MONTANA CHESS NEWS*.

#### SECTION IV

The official newsletter shall notify all members as to:

- (a) Any changes made to the MCA Constitution and Bylaws and other items submitted to the Editor by the Board of Directors.
- (b) All Association events, tournaments, etc.
- (c) Each member's MCA expiration date.

## ARTICLE IX

### AMENDMENTS

#### SECTION I

This Constitution may be altered or amended by an affirmative vote of at least two-thirds of the qualified members present at any lawfully called membership meeting, *provided* that at least one-third of all members qualified to vote, including proxies, are present to constitute a quorum for this purpose.

#### SECTION II

This Constitution may also be altered or amended by an affirmative vote of at least two-thirds of all votes cast by mail (*provided* that at least one-third of all qualified members vote), after a proposal to amend or alter has been duly submitted to all members qualified to vote, first, by publication in the official newsletter, then, by mailing by the Secretary/Treasurer of official ballots to all qualified members, postage prepaid, to their last known address. In such official ballots a reasonable time limit must be allowed for their return to the Secretary/Treasurer.

#### SECTION III

The Association's *bylaws* may be altered or amended by the Board of Directors, or by the members in the same manner as provided in Sections I and II of this Article, except that a majority vote shall decide.

#### SECTION IV

The Board of Directors shall provide a method for handling elections and voting by mail and determining results that will insure fairness and accuracy. The President of the Association shall, after finding the balloting lawful and the results accurate, proclaim the results official and cause them to be published in the official newsletter.

## ARTICLE X

### DISSOLUTION

Upon dissolution of the Association, the Board shall, after paying all the liabilities of the Association, dispose of the assets of the Association exclusively for the purposes of the Association in such manner, or to such organizations operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future Internal Revenue Law), as the Board of Directors shall determine.

Ratified, May 25, 1991.

*Officers:* Paul S. Motta, President; William M. Lynch, Secretary/Treasurer; Sherwood Moore, Western Vice President; Leslie J. Brennan, Eastern Vice President; Dennis Petrak, Junior Chess.

# Bylaws of the Montana Chess Association

(As of May 1st, 1999)

1. The President shall act as the official delegate for Montana to the U. S. Chess Federation. He shall also appoint the any alternate voting members.
2. Membership fees for the MCA shall be \$9/year for regular members and \$5/year for junior members (under 18).
3. All players in MCA sponsored or sanctioned events shall be required to join the MCA. A common exception to this is optionally accepting another state's affiliate in place of MCA membership.
4. First-time players who are also new to the USCF shall have their first year's MCA membership waived in order to help with their initial costs.
5. The MCA shall make appropriate awards for the following:
  - a) Montana State Chess Champion(s) - to the winner(s) of the State Championship.
  - b) Montana State Grand Prix Chess Champion - to the winner(s) of the Grand Prix Championship.
  - c) Montana State Postal Chess Champion(s) - to the winner(s) of the Montana Postal Chess Tournament.
  - d) Montana State Speed Chess Champion - to the winner of the State Speed Championship.
  - e) Montana State Quick Chess Champion - to the winner of the State Quick Championship.
  - f) Montana State Action Chess Champion - to the winner of the State Action Championship.
  - g) Montana Senior Chess Champion - to the Montana player age 50 or over with the best showing in the Montana Open.
  - h) Biggest Upset of the Year - to the Montana resident (at the time of the game) who wins a game against a higher-rated opponent, where the difference in ratings is the greatest for any game played in an open tournament during the calendar year. The ratings of both players must be established at the time of the game.
  - i) Greatest Rating Gain of the Year - to the player with the most gain in rating points according to the annual list published by the USCF. The player must have an established rating at the beginning of the year, and must be a Montana resident for at least six months, including either the beginning or the end of the year.
  - j) Grand Slam Award - to any player who takes a clear first place in four Grand Prix tournaments during the course of the MCA tournament calendar year (after a Montana Open to the next Montana Open). A trophy or plaque shall be awarded bearing the name of the player and the three tournaments in which the winner took first place.
  - k) Contributions to Montana chess by an individual or group that merit special recognition.
6. The Montana Postal championship shall be an official MCA annual event. The MCA Postal Championship shall be rated by the USCF. Only members who are legal residents of Montana may participate.
7. Any tournament "sponsored" by the MCA is:
  - a) organized and directed by officers of the MCA or persons appointed by the MCA.
  - b) financially supported by the MCA.
  - c) advertised in the MCA Newsletter.
8. Any tournament "sanctioned" by the MCA must:
  - a) be advertised in the MCA Newsletter.
  - b) require MCA membership.
9. In any tournament sponsored or sanctioned by the MCA, the following conditions shall apply:
  - a) The entry fee for all players shall be the same, except in the case of Junior players, who shall receive a 50% discount. In all MCA sponsored events, the current State Champion(s) shall be entitled to free entry.
  - b) A uniform tie-break system for prizes shall be used. The order shall be: 1) Solkoff 2) Cumulative 3) Head-to-Head.
  - c) Prizes advertised must be available to the prize winners at the end of the event. The exception shall be the State Closed, in which the name of the State Champion would need to be engraved on the trophy. The trophy would then be delivered within 60 days to the new State Champion.
  - d) Any change in the starting time for a round, as determined by the director, shall be limited to no more than plus or minus one (1) hour from the advertised starting time, except in the case where the director may delay the last round to await the conclusion of games crucial to pairings. Any changes shall be announced before the start of the previous round.
  - e) The time control for any MCA Grand Prix game shall not be faster than G/90.
10. The Montana State Open tournament shall be sponsored by the MCA and shall be an open tournament. Players from any state are welcome.
11. The entry fee for the Montana Open shall be \$20 per player in advance, \$25 at the playing site. Junior members shall pay half price.
12. The Montana State Open shall be held during a weekend to be determined by the Board of Directors. In choosing a date the Board shall limit itself to the months of May and June, and shall avoid Mothers Day, Graduation Day, and Memorial Day. The site of the State Open shall be rotated between the five principal chess cities of the State: Billings, Bozeman, Helena, Great Falls, and Missoula, beginning in 1999 with Bozeman, and cycling through alphabetically. If a city is unable to take its turn as host, it loses its turn, and the rotation skips to the next city in the cycle.

13. There shall be a State Closed Championship following the Montana State Open to determine the State Champion. The ten players to compete the State Closed shall be:

- a) The previous year's State Champion.
- b) The top four finishers in the Grand Prix.
- c) The top five (5) finishers in the Montana State Open.

Non-residents are not eligible for the State Closed. Residents shall be defined as those members who live within the borders of Montana 188 days each year.

14. After the Montana Open, the Grand-Prix finishers shall first be determined for seeding into the State Closed playoff. Then, excluding the top four Grand Prix finishers and the previous State Champion, the top five finishers (Montana residents) in the Montana Open shall be determined and seeded into the State Closed playoff.

15. The procedure for determining alternate players for the "Closed" is as follows: Grand Prix seeds shall be replaced by those next in line in the Grand Prix standing; State Open seeds shall be replaced by players next in line in the State Open Standings: A sole State Champion shall be replaced by the sixth place finisher in the Montana Open. A co-champion shall be replaced by the other co-champion with the best tie-breaks in the previous State Closed playoff.

16. When there is a tie in the State Closed, the following method of tie-break shall be used to determine who is seeded into the next year's "Closed" playoff: a) If the current champion is one of the tied players and he is the sole champion from the previous year, or the only one of the previous year's Co-Champions, then he shall be the seeded player. b) In a tie not involving the current champion, the player with the best standing in the previously held State Open, including tie-breaks, shall be the seeded player. c) In a tie not involving the current champion or a player who competed in the previous State Open, the player with the best Grand Prix standing shall be the seeded player.

17. The State Closed shall be an MCA sponsored event. The site, date and tournament director for a given year's State Closed shall be established by the MCA Board of Directors. There shall be no entry fee. The date set shall be on a weekend not later than Oct. 31st of that year. The State Closed shall have an open satellite tournament, called the Barto Memorial. Entry fee, director, and other details shall be established by the Board of Directors. Arrangements for both the State Closed and the Barto Memorial shall be announced in the MCA Newsletter at the same time that the year's State Open is first listed.

18. After the State Closed, all players tied for first place shall be listed as co-champions for that year.

19. The Grand Prix shall begin after the Montana Open each year, and conclude with the following year's Montana Open. Only a Swiss system, open tournament shall be eligible to be a Grand Prix event. In any Grand Prix tournament, all Grand Prix points shall be issued to the first ten Montana finishers with a plus score, regardless of finish. No tie-breaks shall be in effect for Grand Prix Points, so any tied players split their combined Grand Prix points evenly. Grand Prix points shall not be issued to non-resident members. The Secretary/Treasurer shall compute the Grand Prix points awarded and track the standings through the year, arranging for those standings to be published in the MCA Newsletter throughout the year.

20. Grand Prix points shall be awarded according to the following formula:  $(N/5) \times (100) \times C$   
where

N = Number of players in the event.

P = Place in order of finish among Montana resident players (the average place in the event of ties)

C = Average rating of all players in the event / 1500

For the purpose of determining the average rating of all players in an event, the ratings used by the director for pairings shall be used, except that, beginning with the 1999-2000 Grand Prix race, players without ratings shall be assigned a provisional rating equal to their performance rating for that tournament. The performance rating is calculated by

$$A + 400 \times (W-L) / N$$

where

A=Average rating of the unrated player's *rated* opponents.

W=Wins and L=Losses of the unrated player against *rated* opponents.

N=Number of games played against *rated* opponents

21. MCA Grand Prix events shall be limited to one (1) per sponsoring USCF affiliate organization per year. All MCA Grand Prix events must be announced as such in advance in the MCA Newsletter. A minimum of six players shall be required to participate in a Grand Prix event to qualify for the awarding of Montana Grand Prix points.

22. The MCA shall sponsor an open "three-in-one" tournament called the Triple Header Championship in order to determine the State Champion at faster time controls. The three championship sub-tournaments covered by the Triple Header shall be: The State Action Championship (Game/30), The State Quick Championship (Game/15), and the State Speed Championships (Game/5). The Triple Header Championship shall be an MCA sponsored events. The site, date and other details for a given year's Triple Header shall be established by the MCA Board of Directors. These arrangements shall be announced in the MCA Newsletter ahead of time. Non-resident MCA members may participate in any of the three categories of the Triple Header Championship, but the championship titles of each shall be awarded to the top resident finisher. Tied players in any of the categories shall play in an immediate blitz playoff in order to determine a unique champion for that category. Colors for such a playoff shall be determined by lot.

23. The annual MCA business meeting shall be held in conjunction with the Montana State Open. The agenda for the business meeting shall be decided by the members throughout the year and announced in advance of the State Open in the MCA Newsletter.