

BY-LAWS
OF
THE NATIONAL SPOTTED SWINE RECORD, INC.

ARTICLE 1

Membership

Section 1. Eligibility: Any reputable individual, firm or corporation, actively engaged in the breeding of Spotted swine may be admitted into membership in this Association in accordance with the membership provisions of the Articles of Acceptance and upon such terms and conditions as may be prescribed by the Board of Directors.

Section 2. Initial Fee: Applications for Senior membership must be accompanied by an initial fee of \$30.00. Application for Junior membership (non-voting) under 21 years of age must be accompanied by an initial fee of \$10.00.

Section 3. Annual Dues: Each senior member shall pay an annual maintenance due of \$50.00.

Section 4. Transfer of Membership: Membership shall not be transferable.

Section 5. Voting Privileges: An active senior member shall have the privilege of voting by written ballot at annual or special meeting of the Association.

Section 6. Privacy of Membership: The membership list is private and shall not be distributed without the approval of the Board of Directors.

ARTICLE II

Membership Meetings

Section 1. Annual Meeting:

- A. Date and Location: The annual meeting of the membership shall be held at a time and place designated by the Board of Directors.
- B. Quorum: For the purpose of transacting business of the Association and election of Directors, a quorum shall consist of all active senior members present.
- C. Voting: Any active senior member of the Association has the privilege to vote in person at the meeting.
- D. Notice: Notice of the annual meeting of the Association shall be published in the official breed magazine twice prior to the meeting. In addition, the Executive Secretary shall send written notice to active senior members thirty (30) days prior to the meeting, indicating the place, date, and time of the meeting. Numbered ballots and return envelopes marked "Ballot" shall be included with such written notice.
- E. Order of business: The order of business at all meetings shall be:
 - 1. Call to order.
 - 2. Reading of minutes.
 - 3. Reports of officers.
 - 4. Reports of committees.
 - 5. Unfinished business.
 - 6. New business.
 - 7. Elections
- F. "Roberts Rules of Order" shall govern all meetings. The chair shall rule without question on all parliamentary disputes.

Section 2. Special Meetings:

- A. Call: Special meetings of the Association may be held upon a call issued by the President or signed by a majority of the members of the Board of Directors, or a petition signed by 20% of the active senior membership during the previous fiscal year, by giving fifteen (15) days

nominations will close 60 days prior to Annual Meeting.

Section 5. Election: Directors shall be elected by ballot mailed to active senior members at least thirty (30) days prior to the Annual Meeting. Ballots must be returned by mail to the NSSR office, postmarked by date given on ballot, or presented in person, and ballots will be counted by the Credentials Committee and announcement of new board members be made at the Annual Meeting.

Section 6. Removal: Should any Director fail to attend two (2) consecutive Annual Meetings of the Board of Directors, and/or cease to be active senior members, they may be subject to dismissal to the Board, thereby creating a vacancy of the Board of Directors.

Section 7. Vacancies: Vacancies shall be filled by an affirmative vote of a majority of the remaining Board of Directors at any regular or special meeting. Members so elected shall serve until the expiration of the term or until their successor has been elected at any annual meeting of the Association.

Section 8. Compensation: The Board of Directors of the National Spotted Swine Record, Inc. shall not be allowed expenses on more than four (4) meetings per year. All necessary expenses in travel will be paid, not to exceed maximum IRS allotment. All necessary expenses for meals will be paid, not to exceed \$24.00 per day. All necessary expenses for lodging will be paid, using caution to obtain the most reasonable rates. Airline travel, when necessary, will be paid. Meeting notices are given with enough time allowed to obtain the most reasonable rates. No expenses will be allowed if not submitted to the Executive Secretary within 60 days following the meeting or if receipts of the expenses are not included when filing the expense request.

notice of such meeting to all active senior members of the Association. No business shall be transacted at such meeting except that stated in the call.

B. Notice: The Executive Secretary shall be responsible for notification of the active senior membership upon receipt of a call from the President, Board of Directors, or 20% of the active senior membership.

C. Quorum: For the purpose of transacting the business as stated in the call, a quorum shall consist of 30% of the active senior membership during the previous fiscal year being present in person.

ARTICLE III

Board of Directors

Section 1. Number: Seven active senior members shall be elected to and constitute the Board of Directors.

Section 2. Representation: All seven (7) members shall be elected from districts as determined by the Board of Directors. The districts shall be based by 3 Representatives East of the Mississippi River, 3 Representatives West of the Mississippi River, and 1 At-large Representative.

Section 3. Term: A Director shall be elected for a term of three years. No Director shall serve consecutively more than two full terms. Directors shall be elected at each annual meeting.

Section 5. Nomination: A nominating committee will be appointed by the President at least 120 days prior to the Annual Meeting and will meet at least 90 days prior to said meeting. Due notice of the Nominating Committee shall be published in the breed magazine 30 days prior to the Annual Meeting. Any active senior member's name may be placed in nomination by signed petition consisting of 10% or 25 active members within the district, whichever is less. All

Section 9. Meetings:

- A. Frequency: The Board of Directors shall meet at least twice a year in regular session.
- B. Place and Date: The President shall determine the place and date of each meeting of the Board of Directors.
- C. Call: Emergency meetings of the Board of Directors may be called by the President with consent of 2/3 majority of the Board of Directors.
- D. Notice: Upon receipt of a call for a regular meeting of the Board of Directors, the Executive Secretary shall give written notice to all members of the Board within five days thereafter.

ARTICLE IV

Officers

Section 1. Officers: The offices of the Association shall be a President, Vice-President, Executive Secretary, and Treasurer.

Section 2. Election: At the first meeting of the Board of Directors following an annual meeting of the Association, the board shall elect a President and Vice-President from the members of the Board.

Section 3. Appointment: The offices of Executive Secretary and Treasurer shall be appointed and shall be held by persons other than members of the Board of Directors. The offices of Executive Secretary and Treasurer may be combined into a singular office by approval of the Board of Directors.

Section 4. Terms: The term of office for the President and Vice-President shall be one full year. The term of office for the Executive Secretary and Treasurer shall be fixed by the Board of Directors.

Section 5. Removal: An elected officer may be removed by a two-thirds vote of the entire Board of Directors. An appointed officer may be removed by a majority vote of the entire Board of Directors.

Section 6. Bonds: An appointed officer of the Association shall be required to furnish bond in an amount to be determined by the Board of Directors at the Association's expense.

Section 7. Vacancies: A vacancy in an office of the Association shall be filled as soon as possible by the Board of Directors.

Section 8. Compensation: The salaries of the appointed officers of the Association shall be determined by the Board of Directors. Compensation for the elected officers of the Association shall be commensurate with the compensation to all board members when performing functions necessary to their duties.

ARTICLE V

Duties of the Officers

Section 1. President: It shall be the duty of the President to preside at all meetings of the membership and the Board of Directors. He shall have general charge of the business of the Association.

Section 2. Vice-President: It shall be the duty of the Vice-President to assume the duties of the President in the absence of the President and perform such other duties as the President may prescribe.

Section 3. Executive Secretary: It shall be the duty of the Executive Secretary to have charge of the general management of the Association. They shall perform such duties as may be prescribed by the President and Board of Directors. In addition, they shall keep an accurate record of the meetings of the membership and Board of Directors.

Section 4. Treasurer: It shall be the duty of the Treasurer to have charge of the financial affairs of the Association. They shall perform such duties as may be prescribed by the President and Board of Directors.

ARTICLE VI

Powers and Duties of the Board of Directors

Section 1 . General: The Board of Directors shall have control of the affairs of the Association. In any question of power or responsibility, the decision of the Board of Directors shall prevail.

Section 2. Recordings: The Board of Directors shall fix the requirements and fees for the registration and transfer of all animals recorded by the Association. In addition, the Board of Directors shall have the power to revoke any recording or transfer, due cause being given.

Section 3. Membership: The Board of Directors shall accept, suspend, or reinstate such member or non-member as it deems necessary.

Section 4. Hearing: The Board of Directors shall pass upon all complaints or charges made against any member or non-member who is permitted to use the privileges of the Association.

ARTICLE VII

Committees

Section 1. Executive Committee: The Board of Directors shall, at it's annual organizational meeting, elect an executive committee which shall be made up of the President, who will serve as Chairman, and two other members of the Board. In addition, the Executive Secretary and Treasurer shall meet with the executive committee in advisory capacities.

A. Duties and Powers;

1. General: In the absence of the Board of Directors, it shall be the duty of the executive

committee to act in the direction of the affairs of the Association.

2. Investigation: To investigate all complaints and/or violations of the By-Laws by any member or non-member who uses the privileges of the Association or employee. If a majority of the committee feel action is necessary, they shall submit their findings to the Board of Directors for action
3. Reference: In any matter in which the committee shall be unable to arrive at a decision, or which it deems of sufficient importance, it shall be the right to refer such matters to the Board of Directors without taking action itself.
- B. Call: A meeting of the Executive Committee may be called by the President or a majority of the committee.
- C. Notice: Notice shall be given to each member of the Committee in a manner determined by the President.
- D. Compensation: Compensation to members of the executive committee serving as voting or advisory members shall be commensurate with the compensation of all board members.

Section 2. Nominating Committee: See Article III, Section 4.

Section 3. Other Committees: Other committees may be appointed by the President as necessary.

ARTICLE VIII

Non-Liability of Association

Section 1. All pedigrees are based upon applications made to the Association therefore, and are recorded in reliance upon the information contained, therein, and neither the Association nor any of the officers, Directors, or employees shall be held liable for any loss or damage incurred by any person, firm, or corporation, including members or non-members, arising from any act of the Association in striking from the record any registration or transfer.

ARTICLE IX

Distribution of Assets

Section 1. In event of the dissolution of this Association for reasons other than reorganization as a non-profit organization, all monies or property remaining after all creditors have been paid in

full shall be disposed of by the Court of Common Pleas. However, this provision shall not prevent the corporation, while acting in the capacity of agent from receiving and disbursing any fund or funds.

ARTICLE X

Misrepresentation of Fact

Section 1. No member or non-member, using any of the privileges granted by the Association shall in any way misrepresent any fact in connection with Spotted hogs, either as to breeding, date of farrow, ear notches, alter ear notches or in any other way cause false information to be placed upon the records of the Association, or presented to the public. Such misrepresentation shall be punishable by denial of the services of the Association of the offending party.

ARTICLE XI

Procedure for Hearing on Expulsion, Suspension, and Discipline

Section 1. General: When a member or non-member, using the privileges of the Association, is charged with a violation of any By-Laws of the Association, or with any act or conduct tending to endanger or adversely affect the reputation, welfare, or credit of the Association, such complaint shall be filed with the Executive Secretary who shall promptly refer such complaint to the executive committee of the Board of Directors. The President shall thereupon set a date for, and conduct a hearing on such charges or complaint before the Board of Directors.

Section 2. Appearance: The member or non-member so complained against shall be given ten days notice in writing of the date and place set for the conduct of the hearing and shall have the right to appear in person or by, or with counsel, at such hearing, and shall be entitled to examine all evidence and cross examine all witnesses heard in support of said complain, and to offer

evidence and data by way of defense.

Section 3. Answer: The member or non-member so complained against shall have the right to file a written answer to the complaint with the Executive Secretary of the Association, not less than five days before the date of the hearings.

Section 4: Informal Hearing: Such hearings shall be conducted in an informal manner, within such limits as shall be determined by the Chairman. The Association shall not be required to keep a stenographic report of such proceedings, but the member or non-member so complained against may have stenographic report kept at his expense, provided a copy of such stenographic report is also furnished to the Association without costs.

Section 5. Failure to Appear: If a member or non-member so complained against, shall fail to file his written answer or denial, or shall fail to appear in person, or by counsel, at the hearing, the Board of Directors may nonetheless proceed with the hearing on the matter complained of.

Section 6. Penalty: Whenever the Board of Directors shall, by a majority vote of all directors, find a member or non-member guilty of violating any of the By-Laws of the Association as they now exist, or may hereafter be amended, or of any act or conduct endangering or adversely affecting the reputation, welfare or credit of the Association, after proceeding in accordance with the provisions of this article, they may deny all further rights and privileges to such member or non-member, or otherwise discipline such member or non-member in any manner which they deem to be for the best interest of the Association.

Section 7. Notice of Decision: Written notice of the decision of the Board of Directors on such complaint shall either be delivered to such member or non-member in person, or be sent by certified United States Mail, postage prepaid, addressed to the member or non-member at his address as it appears on the records of the Association, within ten days of the date following the

decision of the Board of Directors.

Section 8. Report and Reference to Meetings of Members: The findings, conclusion and action of the Board of Directors shall be reported to the next regular annual meeting of the membership, which, upon motion duly made and seconded may affirm, reverse in whole or in part, or modify the decision of the Board of Directors.

Section 9. Rights Pending Decision: The Board of Directors may, at any time following the filing of a complaint against a member or non-member suspend all privileges of the Association to such member or non-member.

Section 10. Continuance of Hearing and Requirements: In any case where a meeting of the Board of Directors is called for the purpose of considering a complaint against a member or non-member, and such member or non-member so charged shall request a continuance or further meeting, further meetings shall be held at the expense of the member or non-member requesting the continuance or further meeting and shall be granted only if the member or non-member shall file with the Executive Secretary, cash or bond satisfactory to the Executive Secretary, in such amount and form as to guarantee the payment of all expenses of such further meeting of the Board of Directors.

Section 11. Failure to Furnish Pedigrees: Should any member file written charges against a breeder who neglects or refuses to furnish necessary pedigrees or other papers for Spotted hogs sold, such charges shall be investigated as provided by Section 1 of this article and if sustained the person convicted, shall be refused the right thereafter to record any pedigrees in the Association.

Section 12. Automatic Suspension: The privileges of the Association of any member or non-member who shall have become indebted to the Association and shall not have paid such

indebtedness within thirty (30) days after demand therefore shall be automatically suspended and such suspension shall continue until such indebtedness is paid.

ARTICLE XII

General Recording Requirements

Section 1. Fees: Fees charged for operations necessary in the recording process shall be fixed by the Board of Directors.

Section 2. Rules and Regulations Governing Recording and Transfer of Pedigrees: All patrons of this Association, non-member as well as member, shall comply with the following rules and regulations governing the recording of pedigrees and transfers thereof. Failure to comply with any of said rules shall subject such individuals to discipline pursuant to the provision of the By-Laws.

- A. Certificate of Registration to Buyer: The Association holds the certificate of registration as an integral part of every purebred transaction. In every change of ownership of a Spotted breeding animal, the seller shall, at his own expense, furnish to the buyer a recorded pedigree, this pedigree to show transfer of ownership and the date of sale, unless the right to such certificate is specifically waived by the buyer at the time of completion of sale.
- B. Persons, firms, and corporations who are not members of the Association may record pedigrees and transfer of ownership on terms prescribed by the Board of Directors. The act of signing an application for registry or transfer by a non-member, shall constitute an agreement to observe and be bound by the By-Laws of the Association as they now exist or may hereafter be amended and to so conduct his Spotted swine business as not to endanger or reflect upon the reputation welfare, or credit of the Association.

C. Rules of Registration:

- 1) Must be black & white
- 2) Must possess Spotted breed character
- 3) Must be ear notched before 7 days of age
- 4) Ears can not be erect
- 5) Any red tinted or brown spots are ineligible
- 6) No solid black head from ears forward
- 7) No distinct white belt pattern (hair or skin) encircling and extending down and onto each shoulder
- 8) Any signs of weighted ear tags or evidence of past existence of such tags are determined to be not permissible and are grounds for disqualification.

Objectional points that do not preclude registry include: blood wart; coarse, heavy ear that hinders eyesight or a still erect ear; curly hair; unsound underlines of less than twelve teats; infantile vulvas.

- D. To be eligible to show, all breeding stock must meet the stress requirements determine by the Board of Directors and meet all registry eligibility requirements.
- E. No litter of animal shall be eligible to be recorded unless ear notched in accordance with the Spotted ear notching system as approved by the Board of Directors.
- F. Form: Applications shall be submitted on forms prescribed by the Board of Directors and shall contain all information required by such forms.
- G. Signature: Each application shall be signed by the breeder of the animal sought to be registered, unless purchased in dam, in which case the application shall be signed by the owner of the dam on the date of farrowing of the animal sought to be registered.
- H. Recorded ancestry: Sire and dam shall have been recorded with the National Spotted Swine Record, but this Association also recognizes purebred Spotted swine imported from Canada, registered in the Canadian National Livestock Records, provided that such individuals meet all other requirements as set forth in Article XII of these By-Laws.
- I. Recorded ownership of dam: No animal shall be admitted to record unless the dam is shown

on the record of the Association as having been bred by or transferred to the name of the person seeking to register such animals.

- J. Certificate of service: When sire of animal to be recorded is not owned by the breeder of the animal at the time of that service, a certificate of breeding service signed by the owner of the sire must be supplied with form prescribed by the Board of Directors.
- K. Additional information: All additional information data, and supporting evidence required by the Executive Secretary or Board of Directors shall be furnished.
- L. Forfeiture of Fees: Whenever any fees are paid to the Association in connection with an application for registration or transfer, and the certificate shall not be issued on account of failure of the applicant to provide all information and data required by the Association, such fees shall be forfeited to the Association when the breeder becomes inactive.
- M. Owner of the dam is breeder: The Association recognizes the owner of the dam at the time of the breeding service as the breeder of an animals.
- N. No member or non-member using the privileges of the Association shall make any alteration or changes in any certificate of registration or transfer issued by the Association, nor have in his or her possession any such certificate which has been altered, changed or tampered with. In case any member or non-member using the privileges of the Association shall receive a certificate which bears evidence of change or alteration, he shall forthwith forward such certificate to the Executive Secretary and in connection therewith, communicate to the Executive Secretary the source from which he received such certificate, the date when received and all pertinent attending information relating thereto.
- O. When the Association receives a complaint from a buyer against a member or non-member of the Association on the failure to receive a pedigree, this member or non-

member will receive a notice of such complaint from the Association in writing. If no reply has been received in the Association office within 30 days of written notice, or if the complaint has not been resolved to the satisfaction of the Association within 45 days, the Association has the right to suspend the registration privileges of the member or non-member until the matter is resolved.

P. If a second complaint is lodged against this member or non-member, and the complaint is not resolved as written in item (O), the Association will then proceed to take action to suspend the member or non-member's right to record pedigrees in the Association.

Q. In the event any certificate of registration or transfer should become lost, a new application must be filed, signed by the seller noting such fact before a duplicate certificate will be issued.

R. If for any reason a certificate or registration or transfer should not be issued, the seller shall notify the Association in writing of such reason and shall return such certificate if it has already been issued.

ARTICLE XIII

Amendment of By-Laws

Section 1. Membership: These By-Laws may be amended at an annual meeting of the Association, or at any special membership meeting of the Association called for that purpose, by an affirmative vote of the members present, but in either case the proposal to amend the By-Laws and a brief statement of the proposed amendment shall have been included in the call of the meeting.

Section 2. Board of Directors: These By-Laws may also be amended by an affirmative vote of a majority of the entire Board of Directors at any regular or special meeting of the Board.