



Articles of Incorporation and Bylaws

**Farmers Educational and
Cooperative Union of America,
North Dakota Division**

**as amended by members at the 2009
North Dakota Farmers Union State Convention**

Articles of Incorporation

KNOW ALL PEOPLE BY THESE PRESENTS that we, the undersigned, being persons engaged in the production of agricultural products, have this day voluntarily associated ourselves for the purpose of forming a non-profit cooperative association under the laws of North Dakota and especially the Cooperative Marketing Act (Laws 1921, Chapter 44), do hereby adopt the following Articles of Incorporation.

Article I. Name

The name of this association shall be the Farmers Educational and Cooperative Union of America, North Dakota Division.

Article II. Purpose

This association is formed for the purpose of distributing and disseminating information to farm families, and for carrying out a program of education in cooperation and cooperative philosophy generally, and for the purpose of engaging in any activity in connection with the marketing or selling of the agricultural products of its members, or with the harvesting, preserving, drying, processing, canning, packing, storing, handling, shipping or utilization thereof; in connection with the manufacturing and selling or supplying to its members of machinery, equipment or supplies; in the financing of the above enumerated activities; and in the carrying out of these purposes it is the intention of this association to secure equity, establish justice and apply the golden rule; to systematize the methods of production and distribution; to eliminate speculation and gambling in farm products, to bring farming up to the standard of other industries and other enterprises; to secure equality for agriculture; and to seek to provide security for farm families on the land.

Article III. Location

The territory to be served by this corporation shall be the State of North Dakota. The principal place of transacting business of this corporation shall be in Jamestown, Stutsman County, North Dakota.

Article IV. Duration

The period of duration of this association shall be perpetual.

Article V. Eligibility

Members shall be admitted under the terms and conditions prescribed in the Bylaws of this association.

Article VI. Directors

The number of directors of this association shall be nine (9). Directors and officers shall serve for such term or terms and exercise such powers as provided in the Bylaws.

Article VII. Control

This association is organized without capital stock, and the property and interest of each member shall be equal, whether such membership be original or subsequent.

Whereas, the Farmers Educational and Cooperative Union of America, North Dakota Division, is an association organized under Chapter 44 of the 1921 Laws of North Dakota, and acts amendatory thereof; and

Whereas, the membership in said association is in excess of five (5); and

Whereas, the board of directors of this association has duly adopted a resolution amending the Articles of Incorporation whereby the association shall have the benefit and be bound by all the provisions of Chapters 10-12 of the North Dakota Revised Code of 1943, and do hereby amend the Articles of Incorporation of said association accordingly.

The foregoing resolution was adopted by a majority vote of the members duly assembled in regular annual convention at Bismarck, North Dakota, on the 5th day of November, 1949. The above, in effect, incorporates the North Dakota Farmers Union under the Mutual Aid Corporation Law of North Dakota.

Bylaws

Article I. Preamble and Name

Section 1. In recognition of the economic and social insecurity which surrounds farm people, we do hereby organize the Farmers Educational and Cooperative Union of America, North Dakota Division, also known as the North Dakota Farmers Union, to enable farmers to systematically determine and devise procedures and methods to create and maintain security on the land for farm families thus assuring continuance of American democracy through joint cooperative action by the people themselves.

Section 2. The North Dakota Farmers Union knowing that the cooperative movement has been of great value in training farmers to handle their own commodities, hereby declares its allegiance to the principles of cooperation in purchasing, processing, storing, handling and distributing agricultural or any other commodities, credit unions, cooperative insurances, or in any other business in which its members may be interested and for the furtherance of our ideals toward our objective, broadly stated as being to provide security on the land for farm families, we pledge the resources of the organization to safeguard our cooperative business endeavors against all interests which seek to stifle such group action among farmers through legislative action and educational work among the general public.

Section 3. The North Dakota Farmers Union, knowing that all economic and social activity of the nation affects the lives of all farm families, hereby pledges itself to aggressively promote educational, cooperative and legislative programs as equally important means of achieving economic security through adoption of sound policies as a means of building this world of abundance for ourselves and our families, and for families everywhere.

Section 4. To achieve its objectives, the North Dakota Farmers Union recognizes the need and agrees to sponsor and aid in the maintenance of county and local units to be known as Farmers Union county organizations and Farmers Union locals, respectively, and to grant charters to these units when in conjunction with provisions of these bylaws; and further, to aid in the organization and maintenance of commodity and service cooperatives.

Article II. Membership

Section 1. Regular Membership. Any person sixteen (16) years of age or over, who is an active or retired farmer or rancher may be admitted to regular membership upon fulfilling

requirements of Section 5 of this Article if an appreciable portion of his or her income is derived from the production of agricultural, horticultural, livestock, poultry or forestry products but who is not engaged in an occupation, enterprise, business or activity inconsistent with or injurious to the interest or welfare of family-type farming.

Section 2. Associate Membership. Any person sixteen (16) years of age or over, not eligible for regular membership may be admitted to associate membership which shall give neither vote nor office to the holder thereof in the affairs of the association.

Section 3. Honorary Membership. Any person eligible to become a regular or associate member of this organization may be admitted to honorary membership by action of the state board of directors. Honorary members shall not be required to pay dues.

Section 4. No person shall be disqualified for membership on account of the person's race, or because of political or religious views.

Section 5. Dues.

- A. Admittance to or renewal of regular or associate membership shall require payment of annual dues of twenty-five dollars (\$25.00) either in cash or its equivalent. No regular or associate membership card shall be issued until the cash shall have been paid.
- B. Membership in this association shall be a family membership in which the children ages sixteen (16) through twenty (20) and the spouse of a member in good standing shall have the same rights and privileges as that member.
- C. A membership card shall be issued to the member in good standing, to the spouse of that member and to that member's children ages sixteen (16) through twenty (20).

Upon request a Senior Youth Membership Card shall be issued to the member's children who are in grades seven (7) through ten (10) or the equivalent age.

Upon request, a Junior Youth Membership Card shall be issued to the member's children who are in grades one (1) through six (6) or of the equivalent age.

The membership card, or notification letter, shall clearly indicate whether the membership is a regular, associate or honorary membership and whether the membership is a voting or non-voting membership.

Section 6. Voting Rights. Regular members shall have equal voting rights in the affairs of local, county and state units of the organization and shall be eligible to hold office when in good standing as provided in Section 5 of this Article.

Section 7. Distribution of Dues.

- A. In chartered counties each regular or associate member's dues shall be allocated as follows:
 - (1) The county shall receive two dollars and fifty cents (\$2.50).
 - (2) The National Farmers Union shall receive the amount of its per member dues.
 - (3) Five dollars (\$5.00) shall be placed in the North Dakota Union Farmer Fund as the member's annual subscription to the *North Dakota Union Farmer*, official publication of the association.
 - (4) The remainder of the dues shall be allocated to a Contingent General Fund from which legislative and other activities shall be funded at the

discretion of the board of directors.

- B. The board of directors may from time to time authorize the transfer from the Contingent General Fund to the General Fund. The board may authorize transfers to replenish the North Dakota Union Farmer Fund. On no account shall money from the General Fund be transferred to the Contingent General Fund.

Section 8. Affiliate Members. Any person who is not otherwise a regular or associate member, but is affiliated with the organization as a policyholder of the National Farmers Union Insurance Companies may become an affiliate member of the organization.

The board of directors shall establish the amount of dues, the allocation and the procedures for payment of such dues for affiliate members.

Affiliate members shall not hold elective office nor have voting privileges in the affairs of this association. Each affiliate member shall receive such benefits as determined by resolution of the board of directors.

Section 9. Patronage Duty. It is a member's duty to market farm products and to purchase supplies and insurance, and patronize credit unions, as far as possible, through the business activities approved and ratified by these bylaws or by resolution of the board of directors of this association.

Section 10. Suspension or Expulsion.

- A. Any member may be suspended or expelled for conduct detrimental to the best interests of this association by a resolution of the local union or the board of directors of this association after personal notice to the accused and a fair trial, by the member's local of the charges made. Any order of suspension or expulsion made by a local union may be appealed to the state board.
- B. Any regular member whose dues are delinquent, according to Section 5 of this Article, shall be considered suspended and shall be ineligible to vote or hold office while so suspended.
- C. Any regular member suspended under the provisions of the above paragraph may be reinstated by payment of the current dues.

Article III. State Conventions

Section 1. Time and Place. The annual meeting of this association shall be fixed by the board of directors; provided, however, that it shall be held within six (6) months after the close of the fiscal year, at its principal place of business or at such other place as may be fixed by resolution of the board of directors and shall remain in session until all business is finished.

Section 2. Notice. The secretary shall give notice thereof through the official publication of the association to each member at that member's last known address not less than fifteen (15) days previous to such meeting. Failure of any member to receive such notice shall not invalidate any action taken at such meeting.

Section 3. Quorum and Rules.

- A. At any regular meeting of this association fifty percent (50%) of its regular members represented by delegates or one hundred (100) regular members present in person shall constitute a quorum.
- B. The meeting of this association shall be governed by rules proposed by the

rules committee and adopted by majority vote of the delegates. On all points not specified in the adopted rules, Robert's Rules of Order shall govern.

Section 4. Delegates.

- A.** Each subordinate local having five (5) or more regular dues paying members in good standing shall be entitled to one (1) delegate to the state convention and any local having more than twenty (20) regular members in good standing shall be entitled to one (1) delegate for each twenty (20) regular members or major fraction thereof; however, in no case shall a delegate represent more than one hundred (100) members. Such delegates shall be regular members and shall be elected by regular members. No employee of the state union shall be eligible to serve as a delegate.
- B.** The credentials for such delegates shall be in the hands of the state secretary at that office at least five (5) days before the first day of the convention. The secretary shall then compile a list of such delegates as are shown to be duly qualified and shall have ready for delivery to such delegates before the opening of the convention a distinctive badge which shall be conspicuously worn at all sessions of the convention. The presence of a quorum at any session shall be determined by a count of the badges as provided herein. Credentials arriving later than five (5) days before the first day of the convention must be submitted to the credentials committee, which committee shall determine if the delegate or alternate is a duly elected representative.
- C.** Credentials of delegates elected by locals must be executed by the signature or electronic equivalent of (1) the local secretary or (2) the local president.
- D.** For the purposes of this section, whenever a county does not have any locals, or whenever members are not organized as a local, the county shall serve as if it were a local on behalf of those members in the election of delegates to the state convention. Such delegates shall be elected in the manner and number as prescribed in subsections A and B. The credentials of such delegates must be executed by the signature or electronic equivalent of (1) the county secretary or (2) the county president.
- E.** A county may provide in its bylaws that members may nominate delegates at their local meeting or at district caucuses conducted by the county, providing that such delegates are elected at the county convention in the manner and number as prescribed in subsections A and B. The credentials of such delegates must be executed by the signature or electronic equivalent of (1) the county secretary or (2) the county president.
- F.** Any affiliated Farmers Union cooperative which provides for a dues checkoff and educational funds for the Farmers Educational and Cooperative Union of America, North Dakota Division, in its Bylaws, shall be entitled to one (1) delegate at the state convention. Such delegate shall be subject to the same requirements as other delegates and must also be a current member of the board of directors of the affiliated cooperative.

At the state convention the delegate must have credentials signed by the president or secretary of the affiliated cooperative's board of directors. The delegate's vote will be deducted from the county's total delegate count.

Section 5. Votes. Subject to the limitations in Section 4 A of this Article, delegates to all

conventions shall have the right to vote for each regular member of the local or county unit they have been elected to represent if such member is in good standing and not personally present at the meeting, but no regular member so present shall be denied the right to cast his or her own vote on any questions before the convention.

Section 6. Elections.

- A.** Any regular member of the association shall be eligible for any elective office in the state association with the following exceptions:
- (1)** A member who has been an employee of the state association, other than the president or vice president, after June 30, preceding the annual convention except in the event of vacancy occurring in the office of president or vice president.
 - (2)** A member who may be associated with any business activity in the capacity of director, manager, agent or employee which is in direct competition with any of those business activities as listed in Article VII, Section 3, unless that member resigns such position upon election as director in this state association.
- B.** At the regular convention all nominated candidates shall be recognized prior to any balloting. The qualified delegates and regular members present then shall by secret ballot, elect:
- (1)** Delegates and alternates to the national convention who shall endeavor to carry out the expressed will of this association. Such delegates and alternates shall have been delegates or alternates in attendance at the state convention prior to the national convention and shall be elected by director districts whose boundaries are set forth in Section 6 B (3) (a) of this Article. Delegates and alternates elected from each district shall be qualified members within the district and shall be nominated and elected only by the membership residing within the district. One (1) delegate and two (2) alternates shall be elected from each district; provided, however, that if the total number of permitted delegates to the national convention shall be greater than seven (7), the districts which will be allowed the additional delegate will be designated on a rotating basis beginning with District 1 at the 1991 convention.
 - (2)** A president and a vice president at large, both of whom shall then become members of the board of directors and board of governors. The president and vice president shall be elected annually.
 - (3)** Seven (7) members of the board of directors, one (1) from each of seven (7) districts, be nominated and elected for staggered terms of two (2) years by the delegates and regular members from within each district as follows: Even numbered districts shall elect their directors on even numbered years, odd numbered districts shall elect their directors on odd numbered years.
 - (a)** Counties comprising each of the districts are as follows:

DISTRICT 1	Benson	Cavalier	Grand Forks	Nelson
	Pembina	Ramsey	Towner	Walsh
DISTRICT 2	Bottineau	McHenry	Pierce	
	Rolette	Ward		

DISTRICT 3	Burke Renville	Divide Williams	Mountrail	
DISTRICT 4	Adams Bowman/Slope McKenzie	Billings/Golden Valley Stark	Dunn	Hettinger
DISTRICT 5	Burleigh McLean Oliver	Emmons Mercer Sheridan	Grant Morton Sioux	
DISTRICT 6	Dickey Kidder McIntosh	Eddy LaMoire Stutsman	Foster Logan Wells	
DISTRICT 7	Barnes Richland	Cass Sargent	Griggs Steele	Ransom Traill

- (4) The rules shall provide a procedure for nominating and electing candidates for president, vice president, directors and national delegates from the convention floor. Election of the president, vice president and directors shall be determined by majority vote.

Section 7. Reports. The state convention shall afford opportunity for full and frank discussions of the reports of the board of directors and officers and committees and of the various cooperatives controlled by the members.

Section 8. Resolutions; Policy and Action Drafting Procedure. The following procedure shall be employed for presentation of resolutions before the convention.

- A. The policy and action drafting committee of not less than five (5) nor more than fifteen (15) regular members shall be appointed jointly by the state president and the state board of directors in time to announce such committees in the official publication of the association at least ten (10) days in advance of the convention.
- B. The committee shall meet at least six (6) days in advance of the convention and draft a tentative program.
- C. Provisions shall be made for open hearings the first day of the convention.

Section 9. Special Meetings. The board of directors may call a special convention at any time, or ten percent (10%) of the regular members may file a petition stating the specific business to be brought before the association and demand a special meeting at any time. Such meetings must thereupon be called by the directors; provided, however, that only such business as specifically stated in the call shall be considered. Notice of any such special meeting together with a statement of the purpose thereof shall be given through the official publication of the association to each member at that member's last known address at least ten (10) days prior to the meeting.

Section 10. Bylaws. The bylaws committee shall be appointed jointly by the state president and the state board of directors as a standing committee to serve for a term of one (1) year.

- A. Proposals for amendments to these bylaws by members, locals or county unions shall be forwarded to the state secretary at least ten (10) days prior to the convening of the convention.

- B. The state secretary shall transmit such communications to the members of the bylaws committee as they are received.
- C. The committee shall be convened prior to the state convention, or at the call of the state president to formulate their report.

Article IV. Administration

Section 1. Board of Directors. The supreme authority of the North Dakota Farmers Union shall be vested in the membership, either by referendum vote or by delegates in convention. The responsibility for administering the policies and program of this association shall be vested in the board of directors, subject to the provisions of these bylaws and of resolutions adopted at any state convention.

Section 2. Annual Meeting of Directors. Immediately following the annual convention, the directors shall convene to set the time and place of their annual meeting. Such meeting shall be held within forty-five (45) days following the convention.

Section 3. Quarterly Meetings. The directors shall hold regular quarterly meetings.

Section 4. Special Meetings. Special meetings of the directors may be called upon request of the president or any three (3) members of the board.

Section 5. Quorum. Five (5) directors shall constitute a quorum of the board.

Section 6. Powers and Duties of Directors.

- A. The board of directors shall have the power of designating the manner of keeping books, records and accounts of the association. At the close of the fiscal period, September 30 of each year, the board shall engage a qualified auditor to prepare an audit showing receipts and disbursements and actual condition of the association, the same to be printed in time to be available to all members and delegates at the opening session of the annual state convention. The books shall always be open to inspection by any local or county union.
- B. The board shall have the power to institute removal of any officer or director of this association for deliberate disobedience of these bylaws, incompetency, dishonest or immoral conduct, provided that such removal cannot take place except through the process of fair and impartial trial by the board of governors, giving the accused every reasonable and just opportunity for defense against the charges preferred. Provided further, that any director having any charge against any officer or director of the union shall prove good faith by presenting such charge in writing and signing it. Provided further, that such charges cannot be preferred without the endorsement of at least three (3) members of the board of directors or eighteen (18) members of the board of governors.
- C. The board shall assist the state president and other officers in building and maintaining the general membership and in organizing and maintaining such cooperative enterprises as seem best fitted to the various communities.
- D. The board of directors shall fix the salary of the president and vice president and approve salaries of the department heads and shall provide for the expense of carrying out the orders of this association.
- E. The president shall be the chairman and vice president shall be vice chairman of the board of directors. The board of directors shall elect from the board, a secretary-treasurer and shall have and perform such other duties as ordinarily

pertain to such bodies. When a vacancy occurs in the board other than the office of president or vice president, it must be filled by the members of the board of governors from the district wherein such vacancy occurs; and the president shall notify the members of the board of governors in the particular district where such vacancy occurs of the time and place of the meeting to fill such vacancy.

Section 7. Executive Committee.

- A. The board of directors shall, at its annual meeting, elect from its own number an executive committee of up to four (4) of which the president shall be the chairman, which will represent the board during the interim of its sessions, and perform such other duties as may be assigned to it.
- B. In case of the absence or disability of the president the duties shall be assumed by the vice president of the board.

Section 8. Expense Accounts. The board of directors shall audit and pass upon the expense accounts of all officers and committees and employees incurred since their last meeting.

Section 9. Compensation.

- A. The members of the board of directors, with the exception of the president and vice president, shall be paid per diem, not to exceed seventy-five dollars (\$75.00) per day in addition to actual travel and subsistence expenses when on official business of the association.
- B. The compensation of members of the bylaws committee and policy and action drafting committee and such other designated committees as may be established by the board of directors shall be set by the board of directors.

Section 10. Board of Governors.

- A. Every duly elected and qualified president of a chartered county union shall by reason of such position be a member of the board of governors; and the vice president of such county union shall act in the absence of the county president. The president and vice president of the state union and members of the state board of directors who are not county presidents shall be members of the board of governors and each shall have one (1) vote.
- B. The board of governors shall meet semi-annually on the dates set by the board of directors. Special meetings shall be held upon ten (10) days notice, whenever the president or regular members representing ten percent (10%) of the membership of the association shall make a written request for such meeting and shall file such request with the secretary of the association. The president and secretary of the association shall act as chairman and secretary respectively of the board of governors.
- C. Each member of the board of governors shall have one (1) vote on every matter requiring a vote; provided, however, that upon demand of any member a plural vote shall be taken, which requires that each member shall cast as many votes as there were regular members in that member's county union, of which that member is the president, at the close of the fiscal year, as shown by the record of the association. A majority of the plural vote shall constitute a quorum.
- D. The board of governors when convened pursuant hereto shall have all the

power of the board of directors and shall have the power to veto, amend, override, rescind or change any act, action, policy or position of the board of directors, within the limits prescribed by these bylaws.

Article V. Officers

Section 1. President.

- A.** Upon election, the president shall have up to forty-five (45) days to assume the responsibilities of the office, and shall serve until the duly-elected successor takes office.
- B.** The president shall be the chief executive and administrative officer of this association and is charged with the responsibility of employing efficient personnel in carrying out the programs of activity mandated by the state convention and directed by the board of directors under the authority of these bylaws.
- C.** It shall be the president's specific duty to organize or cause to be organized new territory and assist the membership in every way possible.
- D.** The president shall preside at the sessions of the state convention and perform such other duties as usually pertain to such office.

Section 2. Vice President. The vice president shall perform the duties as prescribed by the president and the board of directors and shall perform the duties of the president in the absence of the president or in case of the inability of the president to act.

Section 3. Secretary-Treasurer. The secretary-treasurer shall keep, or cause to be kept, a complete record and books of account of the association and the minutes of all meetings of members and directors. The secretary-treasurer shall serve all notices required by law and perform such other duties as may be required by the board of directors and these bylaws. The secretary-treasurer shall be the custodian of all funds, securities and property of the association, except such as may by resolution of the board of directors be placed in other hands. The secretary-treasurer shall deposit all funds in the name of the association in a bank or credit union designated by the board of directors and disburse the same upon the authority of the board. The board has the authority to divide the responsibility of the office and elect a secretary and a treasurer.

Section 4. Vacancy. If a vacancy occurs in either the office of the president or the vice president the board of governors shall be convened within twenty (20) days for the purpose of electing a regular member to fill such vacancy and the person so elected shall serve until the next regular or special convention or until the duly elected successor takes office following such convention.

Article VI. County Unions

Section 1. Twenty (20) or more regular dues paying members of this association may organize a county unit in an unchartered county by expressing their desire and intent to organize themselves for the purposes set forth in the bylaws. Upon election of a board of directors and officers, adoption of county bylaws and fulfilling all other requirements of these bylaws, the members shall petition the board of governors for the granting of a county charter. Upon verification of fulfilling the state bylaws requirements the board of governors shall direct the state secretary to issue the county charter.

A chartered county organization shall have the responsibility of maintaining membership,

aggressively promoting educational, cooperative and legislative programs and other activities as may be deemed necessary and prudent by the board of governors to achieve the goals and objectives of this organization:

- A.** A county union shall hold its regular annual convention following the end of the fiscal year but not less than ten (10) days prior to the state convention. At the annual convention, the regular members shall elect by secret ballot a president and vice president at large for one (1) year terms. The president and vice president shall be members of the board of directors and the president shall serve as the presiding officer. Regular members shall elect a board of directors. The board shall consist of at least five (5) members elected for one (1) year or staggered terms of not to exceed three (3) years.
- B.** A secretary-treasurer shall be elected by the members or by the board of directors. The secretary-treasurer may be someone other than a board member. The county bylaws may provide for dividing the responsibility of the office of secretary-treasurer.
 - (1)** It shall be the responsibility of the county secretary to submit a certification of election of county officials to the state secretary not later than three (3) days prior to the state convention.
 - (2)** The county secretary shall file a report of the meetings of the board and membership to the state secretary within thirty (30) days following such a meeting.
- C.** The county board of directors shall meet at least quarterly. The board shall conduct an annual meeting and at least two (2) membership events each fiscal year.
- D.** The county board of directors shall establish committees and appoint officials as deemed necessary by the county and as required by action of the board of governors to fulfill the responsibilities of the county union.

Section 2. The charter of any Farmers Union county organization may be suspended (1) for conduct detrimental to the best interests of the organization and (2) for failure to comply with the provisions of these bylaws.

Suspension shall be by resolution of the state board and subject to the approval of the board of governors at any regular meeting. Known officers of such county organizations shall be notified and entitled to a hearing before said board of governors.

Upon suspension of any county charter, maintenance of locals, membership and youth work of said county shall become the responsibility of the state association.

A new charter shall be issued to any county upon the election of a new board of directors providing it meets the other requirements as outlined herein.

Section 3. Two (2) or more county unions may combine into one (1) county union by a majority vote of a convention of each county concerned and by the surrender of their charter and a new charter shall be issued.

Two (2) or more counties may by mutual consent of the county board of directors or resolution of members at a county convention enter into agreement for the joint operation of activities, committees, etc. or the consolidation of appointed offices.

Section 4. County Subdivisions. A county union shall provide through its bylaws for the

organization, operation and maintenance of local unions.

The county may establish new local unions as may be necessary to carry out the responsibilities, activities and purposes of the county union.

Unless otherwise provided in the county bylaws, five (5) or more regular members of this association may organize a local union by expressing their desire and intent to organize themselves for the purposes set forth in the bylaws. Upon electing officers and/or a board of directors, and fulfilling all other requirements of these bylaws and the bylaws of the county unit, a charter shall be granted to such local by the county organization. Suspension or revocation of a local charter may be appealed by resolution of the local to a county membership meeting and/or the state board of governors.

Section 5. Allocation of Revenues.

- A. The state association, by action of the board of directors, may allocate from the General Fund or other revenues funding to the county units as may be required to meet expenses of county activities on a basis of membership, membership participation, patronage of affiliated businesses, availability of revenues to the county, the amount of existing funds of the county and/or the level of activities of the county.
- B. In addition to the distribution of dues as provided in Article II, Section 7 A, the state board of directors shall allocate at least one dollar (\$1.00) per dues paying member to counties from the General Fund or other revenues. At least one dollar (\$1.00) per dues paying member in each local shall be transmitted by the county to the active local units. The board of governors shall establish requirements which determine whether a local is considered active. In the event the county organization does not meet the activity level as outlined in Article VI, Section 1, Subsection C, the state board of directors may withhold all or a portion of the \$1.00 per dues paying member.

Article VII. Unity in Cooperation

Section 1. Official Publications. For the purpose of maintaining mutual helpfulness, preventing ruinous competition and promoting strength and harmony to cooperative institutions, this association hereby adopts the *North Dakota Union Farmer* as its official publication. However, the board of directors may designate a different publication as its official publication should it be deemed advisable.

Section 2. Use of Name. The name "Farmers Union" shall not be used by any person, corporation, cooperative, copartnership or association except in the following cases.

- A. Members living in localized areas may organize cooperative business activities bearing the Farmers Union name provided the bylaws of such cooperative make provisions for the payment of five percent (5%) of their net earnings to the educational fund of the state union, one-half (1/2) of which will be returned by the state union to the county unions from which patronage originated, and provided the bylaws of such corporations make provisions for the deduction and payment thereof to the state union or the county union of annual dues from patronage dividends or contributed capital of all patrons eligible to membership in this association. The state board of directors shall establish incentives to encourage cooperative participation.
- B. Members may organize and work with other state organizations of the Farmers Union to organize cooperative business activities bearing the Farmers Union

name, provided the bylaws of such groups make provisions for the payment of five percent (5%) of their net earnings to the educational funds of the state organization in accordance with the origin of the volume of business.

- C. Other business activities whose purposes, objectives and principles are similar to cooperatives mentioned in A and B above, in the judgment of state union may be authorized by state union to use the Farmers Union name, providing such business activities make mutually satisfactory provisions for payment for the use of the name in their bylaws, by contract or otherwise.

Section 3. Affiliated Business Activities. The following affiliated business activities which have been organized to give the broadest and best possible service and protection in providing marketing facilities and supplying goods and services needed by farm families, are hereby endorsed by this union and made the official business organizations in their respective fields which merit the entire patronage of members of this union:

CHS, Inc., St. Paul, Minnesota;
 Farmers Union Enterprises, Inc., Redwood Falls, Minnesota;
 Farmers Union Industries, Redwood Falls, Minnesota;
 National Farmers Union Insurance Companies, Denver, Colorado;
 Farmers Union Mutual Insurance Company, Jamestown, North Dakota; and
 Farmers Union Service Association, Jamestown, North Dakota.

Section 4. Coordination. The board of directors and officials of this union shall confer with and invite the cooperation of the directors, managers and employees of these various activities and affiliated local cooperatives in enabling each association to make its maximum contribution to the common purpose of advancing the welfare of the members of this union and of agriculture. Directors and officials are further directed to keep members of this union informed of the progress and relationship of these associations as may concern the total aims and purposes of the Farmers Union.

Recognizing the advisability of having an active and informed leadership in each activity which is familiar with all Farmers Union activities, members of this Union shall participate in the meetings of this union and its affiliated business activities to the maximum extent possible.

Section 5. Coordination of Organization's Activities. Believing that the coordinated efforts of all groups sharing common ideals is essential to the achievement of these ideals, the directors, officials and members of this union are directed to work with other agricultural groups, labor, industrial, business, professional, religious, political, civic and welfare groups in specific areas of agreement where such groups share common objectives.

Article VIII. Referendum

The right of the initiative, referendum, recall and the right of petition is not to be denied the members of the union. Five percent (5%) of the regular members of the state union in good standing may petition the board of directors to submit to referendum vote any measure, or ask the recall of any officer, and upon receipt of such petition, the board of directors shall submit the same to a referendum vote of the entire regular membership, naming a date of said election not less than thirty (30) days and not more than sixty (60) days from the time of receiving said petition; and, if a majority of all the regular members voting on such measure or recall, shall cast their votes for said measure or recall, the board of directors shall immediately declare the same to be in force.

Article IX. Amendments

Section 1. These bylaws may be amended at any general meeting or special meeting, called for that purpose by a majority vote of those voting upon the amendment.

Section 2. Within forty-five (45) days after the adoption of any amendment to the bylaws the secretary-treasurer shall cause the same to be made available by printed or electronic form.

Article X. Dissolution

The association is designed to promote the general welfare of family-type farmers as set forth in the Articles of Incorporation and these bylaws and as further set forth in the action program adopted annually by delegates to the state convention. It is not the purpose of the association to accumulate large assets for the direct benefit of members as such. Therefore, in the event of dissolution of the association the assets shall be distributed as follows:

- (1) To the payment of all costs of dissolution.
- (2) To the payment of all outstanding obligations.
- (3) The assets remaining shall be vested in trustees who shall be appointed by the board of directors by authority of the membership in the event of a voluntary dissolution or in such trustees as may be appointed by the court, in any event, and such remaining assets shall be used and disbursed solely for the purpose of promoting the general welfare of farmers by direct action and/or by transferring such remaining amount to a succeeding organization which has for its purpose substantially the same purpose as this association and/or such farmers welfare organization as may be selected by the trustees and approved by the court.

Article XI. Fiscal Year

The fiscal year shall commence October 1 each year and end September 30 of the following year.



Founded in 1927, NDFU is the state's largest general farm organization, with more than 40,000 member families. NDFU works through the political process to develop economic and social policies, provides services to start and sustain cooperatives and initiatives, and offers educational programming to benefit farmers, ranchers, and rural communities.