

# CONSTITUTION

*With amendments and revisions as of January 17, 1941.  
All changes indicated in italic type.*

## ARTICLE I — NAME

LIGHTNING Class Association.

## ARTICLE II — EMBLEM

As per Sail Plan.

## ARTICLE III — OBJECT

To promote and develop LIGHTNING Class racing under uniform rules, governed by this Association, and to rigidly maintain the one-design features of LIGHTNING class sloops, as designed by Sparkman and Stephens Inc., which plans are known as No. 265.

## ARTICLE IV — POLICY

1. To cooperate with all other yachting organizations and to demand in return observance of the rules of the LIGHTNING Class.
2. To keep the LIGHTNING Class within the financial reach of the man of moderate means without handicapping ability or encouraging neglect in conditioning yachts.
3. To rigidly maintain a strictly one-design class, in order to positively insure that all LIGHTNING Class races held under the auspices of this Association be to determine the skill of the skipper, and to eliminate all variations in the construction of the yachts. Everything in the Constitution, By-Laws, and all building restrictions is intended to insure competition between boats of identical design, and the spirit of the Constitution, By-Laws, and building restrictions is to this end.

## ARTICLE V — ORGANIZATION

1. The individual shall join through a Fleet on whose waters he normally sails, the power to accept or reject applications for membership is vested in each fleet, subject to refusal, for cause, by the Executive Committee.
2. The Fleet, a territorial branch or unit, is open to all eligible persons within its territory, elects its own officers, which must include a Fleet Secretary, and is self-governing in local matters not conflicting with Association rules.

3. Groups of fleets in distinctive localities constitute Districts.

4. The powers of the Association shall be vested in the Governing Board.

#### ARTICLE VI — JURISDICTION

The Association has jurisdiction over all LIGHTNING activities. Its Class Rules govern all sanctioned LIGHTNING races regardless of by whom held. Its Constitution, By-Laws, and Rules are binding upon all members and Fleets, and all registered LIGHTNING yachts must conform to its official plans and specifications.

#### ARTICLE VII — FLEET CHARTERS

1. A new Fleet may be granted a charter upon application to the Executive Committee, by three or more owners, *who must be members of the Association*, of three or more LIGHTNING yachts not within the locality of an organized Fleet.

2. Charters may be granted to Service Fleets, regardless of conflict with the territory of a civilian Fleet, upon application, provided that particular unit of the service has three or more LIGHTNINGS.

3. Annual renewal fixed in By-Laws, Charters may be granted by the Executive Committee or suspended by the Governing Committee but revoked only at an annual meeting for failure to maintain in good standing a minimum membership and quota of yachts as above required, or other adequate causes.

#### ARTICLE VIII — DUES

Association dues and taxes shall be fixed by the By-Laws. Fleet dues, if any, by the Fleet. Both must be paid before a member can be in good standing in either.

Service Fleets must pay active dues for each LIGHTNING enrolled in the Fleet.

#### ARTICLE IX — MEMBERSHIP ELIGIBILITY

1. An active member has privileges to hold office, to vote, and to skipper a LIGHTNING yacht in sanctioned races, in accordance with the By-Laws. Must be an owner, part owner, or a Service Fleet representative, a corinthian, regardless of age or sex.

2. Isolated. An isolated member is entitled to all privileges of active members except Fleet representation. A person meeting all active membership requirements except in being within a Fleet's territory. Such membership, however, shall not be open to LIGHTNING owners in a locality in which there are three or more LIGHTNINGS in close enough proximity to permit of their racing together.

3. Associate Member. An associate member cannot vote, hold office, or represent the Fleet as skipper, but may as crew. A corinthian non-owner of a LIGHTNING. *Each associate member, when enrolled as such, shall, if possible, be enrolled as part of the crew of a specific yacht.*

4. *Active membership in any Fleet shall be restricted to active members of the Association. Associate membership in any Fleet shall be restricted to Associate members of the Association.*

5. A member cannot belong to more than one fleet at a time, nor can a yacht be registered in more than one fleet.

Active or Isolated membership shall be retained until the end of the calendar year in which the member ceases to be a LIGHTNING owner.

## ARTICLE X — EXECUTIVE OFFICERS

### *Method of Election and Duties*

(a) The following Association Officers shall be elected at the Annual Meeting and serve for one year, from January 1st to December 31st, or until their successors qualify. Each shall be nominated, seconded and voted upon separately by the Fleet Delegates in the order named, the candidate receiving the greatest number of votes shall be considered elected. Nominations may be made by mail, in advance of an annual meeting.

1. PRESIDENT—Chief executive presides at meetings; chairman of Executive Committee and Governing Board. Rules on procedure, jurisdiction; summarizes decisions, appoints special committees. Authorizes payment of all bills.

2. VICE-PRESIDENT—Officiates in the absence of the President.

3. SECOND VICE-PRESIDENT—Same as Vice-President.

4. THIRD VICE-PRESIDENT—Same as Vice-President.

5. SECRETARY—Handles all correspondence and details of minutes, records, fleets, membership and yachts, awards numbers and performs all other duties pertaining to such office.

6. TREASURER—Deposits funds in depository approved by Executive Committee. Keeps the financial books and securities of the Association, disburses funds only on order of the President.

(b) If any District shall have failed to hold District Election as provided for in Article XI, District Secretaries for such Districts may be appointed at the Annual Meeting.

(c) Honorary Officers (See Article XIII) elected by the Governing Board shall have their election ratified for another year or new honorary officers may be elected for ensuing year at the annual meeting.

## ARTICLE XI — DISTRICT OFFICERS

### *Method of Election and Duties*

(a) The following district officers shall be elected by vote of the active membership in each District, in advance of the annual meeting, and shall serve the ensuing year, from January 1st to December 31st.

1. DISTRICT SECRETARY—Shall be a member of the Governing Board and have general supervision over all LIGHTNING class activities in the District.

2. Alternate—Shall officiate during any prolonged absence of the District Secretary and shall automatically become District Secretary for the unexpired term, should that office be vacated.

(b) Method of Election—The District Secretary shall be elected by vote of the Fleet representatives in this district. He shall be nominated by a committee consisting of two or more representatives appointed by the President, and such nominations will be sent to the Association Secretary. The Association Secretary will then advise each Fleet of the nomination, and each member of each Fleet will then, by mail vote, signify one person whom he designates. That person having the greatest number of votes received by the Secretary within thirty days from the date of mailing notification of nomination to the Fleets, shall be considered elected. The candidate receiving the next greatest number of votes will be the Alternate.

## ARTICLE XII — STANDING COMMITTEES

### *Method of Election and Duties*

(a) The following Committees shall serve one year, from January 1st to December 31st.

1. THE GOVERNING BOARD—Shall consist of all Executive Officers and District Secretaries of the Association. The President shall be Chairman ex officio of the Governing Board. Majority vote decides all questions if not otherwise stipulated. Interprets Constitution, By-Laws and may pass new ones not conflicting therewith, conducts all business and determines policy of Association, is the last court of appeal on disputes over constitutional rights and has the power to enforce its decisions by suspension of Fleet or members. Governing Board ruling shall be binding and final.

(b) The following Committees shall be appointed by the Governing Board except as otherwise provided.

2. THE EXECUTIVE COMMITTEE—A sub-committee of the Governing Board empowered to act in the name of the Governing Board in matters requiring prompt action and personal discussion. Shall consist of the President who shall be Chairman and two or more Governing Board members. Shall render final decisions on appeals; shall sanction or ban races, procedure and committees. Grant charters, create and alter territorial limits; fill vacancies in office, subject to ratification by the Governing Board in the case of Executive Committee members; impeach fleet and Association officers, subject to ratification by three-quarters vote of Governing Board when Governing Board officer is involved; to suspend members guilty of gross violations of rules or unsportsmanlike conduct for a period not exceeding its term of office; approve the purchase and sale of securities and approve depositories.

3. NATIONAL RACE COMMITTEE—The National Race Committee shall conduct the National Championship Series and generally supervise all other officials and committees connected therewith, appointing, from its own members if possible, the committee that shall conduct each race. It shall consist of all members of the Governing Board present and eligible to serve by reason of not being contestants, plus such additional members as may be necessary to make an odd number of at least five. It shall be ratified at the annual meeting and serve until twenty-four hours after the last race or sail-off of said series. During this period it shall supersede the Governing

Board which remains inactive, having direct appellate jurisdiction over all matters directly connected with the current Series, but its powers shall not extend to other matters nor shall it revoke Executive Committee or Governing Board rulings. Hearings shall be held and witnesses heard collectively or separately and decisions rendered within twenty-four hours of the race or as described in race circular. It shall, however, have the power to reopen a hearing because of new evidence at any time during its term of office, but all protests and business must be disposed of before the Committee disbands. The ranking executive shall be chairman. A majority shall constitute a quorum and a majority decision shall decide all questions. The decision of the National Race Committee shall be final, if rendered in accordance with the provisions contained in this article, and cannot be appealed to any other body whatsoever, except as permission is granted by the Governing Board for contestants to appeal N. A. Y. R. U.

4. THE BUDGET COMMITTEE—The President, Secretary and Treasurer shall prepare and, after Governing Board approval, publish budget for ensuing year.

## ARTICLE XIII — HONORARY OFFICERS

### *Method of Election and Duties*

(a) The following honorary officers of the Association may be elected by a three-quarter vote of the Governing Board or by the annual meeting, but a Governing Board election must be ratified by the annual meeting next succeeding.

(b) The honorary officers shall have no vote on the Governing Board.

1. COMMODORE—There shall be but one Commodore. He shall be in charge of all social activities and functions. He shall make the opening and closing addresses at the Annual Meeting and be Toastmaster at all functions.

2. VICE-COMMODORES—Shall according to priority, assume the duties of the Commodore in his absence and be in charge of social activities in their respective localities.

3. REAR COMMODORES—Shall according to priority, assume the duties of the Vice-Commodores in their localities in the absence of the latter.

#### ARTICLE XIV — APPOINTED OFFICERS AND COMMITTEES

(a) The following officers and Committees shall be appointed by the Executive Committee and serve for one year, from January 1st to December 31st.

1. MEASUREMENT COMMITTEE—It shall appoint and be in charge of all certified measurers, grant or reject measurement certificates, issue duplicates and answer questions on measurement rules.

2. DEVELOPMENT COMMITTEE—Shall be in charge of developing new fleets.

3. SPECIAL—Officers or Committees, including LIGHTNING Race Committees for sanctioned events, may be appointed at any time by the Governing Board.

#### ARTICLE XV — MEETINGS

1. The annual meeting shall be held during the period of and in the vicinity of National Championship Series, if possible. Special meetings at order of Governing Board or upon demand in writing by twenty-five per cent of the Fleets. Exact time and place of all meetings to be fixed by the Executive Committee.

2. Notice must be sent to the last recorded Secretary of each Fleet in time to permit of action by delegate or proxy, and if a Special Meeting the purpose thereof must be stated in such form as to permit of voting by mail and no other business can be transacted.

#### ARTICLE XVI — DELEGATES

1. The membership of each Fleet shall be responsible for the selecting and instructing of a delegate, or if unable to send a delegate, they shall designate a duly authorized proxy, to present the Fleet's views and cast its votes at all meetings.

2. Any number of alternates or proxies may be named, but the first in order present shall be the only one entitled to cast the Fleet's votes. Only those properly certified to in writing by the proper Fleet Officials will be recognized.

#### ARTICLE XVII — QUORUM AND ROLL CALL

1. One-half (50%) of the Fleets in good standing constitute a quorum at meetings.

2. If a quorum exists at roll call it exists throughout the session.

## ARTICLE XVIII — VOTING

1. Each Fleet shall be entitled to cast one vote for each LIGHTNING yacht enrolled in said Fleet which has been properly recorded with the Association by a separate active member in good standing, but no Fleet is entitled to more than  $33\frac{1}{3}\%$  of the votes cast. Membership books close ten days before meeting, or as ordered by Executive Committee.

2. At special meetings, votes will be allocated upon the basis of the number the Fleet had, or would have been entitled to, at the last annual meeting held except new Fleets, which shall vote on the basis of votes allocable on the date of call of the meeting.

3. Members may be heard, but only accredited delegates, proxies and isolated members shall vote on motions and must vote unless excused by Chair. A majority of the votes present shall decide all questions not otherwise stipulated and the Chair shall cast the one deciding vote in case of a tie and may also fix a time limit on speakers and motions.

## ARTICLE XIX — IMPEACHMENTS

A member may be expelled only by a three-fourths vote at an annual meeting. (Impeachment of Officers—See Article XII, Section 2.)

## ARTICLE XX — AMENDMENTS

1. The Constitution and By-Laws, except those enumerated in Section 2 hereof can never be suspended but may be amended at any meeting by two-thirds of the votes present.

2. Building tolerances are unknown except to the designers. All builders of boats and sails are hereby cautioned to exert every effort to build all LIGHTNING sloops very close to the prescribed measurements. The tolerances are held in the office of the designers, and all measurement certificates which are submitted to the Measurement Committee are referred to the designers for checking, and after checking are returned to the Measurement Committee with comments.

### *Notice to Measurers —*

Measurers can obtain method for measuring Lightning Class sloops from the Chief Measurer of the Association.

3. The basic principles of Articles III, IV, V, and VI cannot be changed nor can an amendment be passed which will render

ineligible a former yacht or active member whose eligibility was established under then existing rules of this Association and whose status cannot be changed to conform to the proposed amendments, nor shall retroactive legislation be passed affecting active members' or Fleet's constitutional rights except by a three-fourths vote of the total voting strength of the Fleets in good standing in the Association. If not present, a referendum can be ordered.

4. All proposed amendments at either annual meeting or special meeting must be included in the notice thereof and shall be mailed not less than thirty days prior to the date of the meeting.

5. The Executive Committee shall have the power to simplify, clarify, or correct the wordings of any article without changing its intent or purpose.

#### ARTICLE XXI — ORDER OF BUSINESS

##### *At Annual Meeting*

1. Call to Order.
2. Roll Call of Fleets.
3. Minutes of Last Meeting.
4. Reports of Officers.
5. Race Committee Ratification.
6. Charters, ratified and revoked.
7. Ratification of Executive Committee Rulings.
8. Unfinished Business.
9. Instructions Measurement Committee.
10. New Business.
11. Election of Officers for following year.
12. Adjournment.

##### *At Special Meetings*

Roll Call, Special Business, Adjournment.