

THE NORTHEASTERN WEIGHTS AND MEASURES ASSOCIATION CONSTITUTION AND BYLAWS

Adopted November 14, 1972
Amended April 12, 1978
Amended May 12, 1999

ARTICLE I - NAME

Section 1. The name of this organization shall be "The Northeastern Weights and Measures Association."

ARTICLE II - OBJECTIVES AND PURPOSE

Section 1. To provide a regional forum for the discussion of all questions and problems related to the administration, regulation, and the enforcement of Weights and Measures at all levels of government within the Region, and that of the Federal Government and its various agencies.

Section 2. To encourage and promote to the greatest degree possible within the member jurisdictions;

1. uniform Weights and Measures laws, rules, regulations and orders,
2. uniform enforcement methods,
3. uniform testing and inspection procedures,
4. uniform users' requirements.

Section 3. To encourage and assist in the development and use of better weighing, measuring and counting devices, together with the various forms and types of auxiliary equipment.

Section 4. To discourage all unfair practices and procedures relating to weights and measures.

Section 5. To cooperate with the National Institute of Standards and Technology, the National Conference on Weights and Measures, Inc., the various State and Regional Weights and Measures Associations, together with the various industry and scientific associations interested in the promotion of more uniform and effective Weights and Measures administration.

Section 6. To establish the professionalism of weights and measures activities and to promote the general technical knowledge of all the membership.

Section 7. To secure fair dealings and honest weights and measures in commercial quantity determination for all people.

Section 8. To make the public in general aware of the protection and equity available in all commercial transactions through weights and measures administration and enforcement.

Section 9. To encourage and participate on a regional basis in public relation promotional activities.

Section 10. To encourage and render assistance in development of professional status and image of weights and measures officials and public recognition on that basis.

Section 11. To assist in and encourage greater uniformity of titles and proper compensation for the duties proposed, and upon request of any member jurisdiction, to render, as an Association, whatever assistance possible to that member in this regard.

ARTICLE III - MEMBERSHIP

Section 1. Membership in this Association shall be classed as (a) Active, (b) Advisory, and (c) Associate, (d) Honorary.

Section 2. **Active** membership in this Association shall extend to individuals in the employ of the following States, Commonwealths, or any political subdivision thereof: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont who are engaged in the enforcement of weights and measures laws and regulations.

Section 3. **Advisory** membership shall be comprised of those persons who are (a) representatives of agencies of the Federal Government, (b) representatives of State and local governments other than those involved in the enforcement of weights and measures laws and regulations, (c) foreign government officials, and (d) retired from his State, County or Municipal position as an active Weights and Measure official and who is interested in the objectives and activities of the Association and who participate as individuals rather than as representatives of a particular industry or interest group.

Section 4. **Associate** membership is open to and construed to be comprised of any person, regardless of residency, who are representatives of manufacturers, industry, business, and consumers, and other persons who are interested in the objectives and activities of the Association and who do not qualify as Active or Advisory member.

Section 5. When any person has won the gratitude of the Association through some particular interest or deed, that person may be elected to **honorary** membership by two-thirds vote of the quorum present. Such membership shall be free from all registration fees, and not have the right to vote or hold office.

Section 6. Application for membership in this Association shall be made upon such form as shall be perceived by the Executive Committee over the personally hand-written signature of the applicant, the following information: (a) applicant's full name and complete residence, (b) the complete name, address and business of the person he represents or is a member, (c) in what title and capacity he is employed, and (d) the statement or declaration required to answer any question as the Executive Committee may deem required or necessary in the best interests of the Association. Such answer and statements so made shall be construed and considered to be statements of warranty and of the truth thereof.

Section 7. All classes of membership: All the various classes of membership, except Honorary, are on an annual basis by means of registration at the annual meeting of the Association or with the payment of the currently prescribed dues.

Section 8. The privilege of the floor is extended to all classes of membership at all meetings of the Association except Executive sessions, which are limited to the active and advisory membership, with both classes having the privilege of the floor.

ARTICLE IV - ADMINISTRATION

Section 1. Officers: The officers of this Association shall be elected from the active membership and those active members who have retired and are in good standing, and meet the requirements under ARTICLE III, Section 3, sub-section (d), those officers shall consist of the following: (a) Chairperson, (b) Four Vice-Chairpersons, (c) Secretary, (d) Treasurer, and (e) four directors (executive committee members) (with no two coming from any one member jurisdiction).

Section 2. The **Board of Directors** shall be composed all elected officials as per Article IV Section 1. Insofar as possible, the Nominating Committee, in recommending candidates for the Board of Directors, shall consider State representation. The Chairperson of the Association shall be the Chairperson of the Board of Directors.

Section 3. No person shall be eligible for any elective or appointive office except a member in good standing.

Section 4. All elective officers shall be elected by paper ballot by members present at the annual meeting of the Association and shall hold their respective offices for the term of one year, and until their respective successors are elected and installed, unless removed as hereafter provided. Members receiving the highest number of votes cast for the respective offices shall be declared elected.

Section 5. The Board of Directors shall fill vacancies arising in any elective office by appointment for the unexpired term, and it shall be kept so filled until the next annual meeting.

Section 6. The association's chairperson shall appoint a **historian** and **sergeant of arms** at the annual conference.

Section 7. The association's chairperson shall appoint members to the following standing committees and designate one member to be chairperson: (a) **Committee on Specifications and Tolerances**; (b) **Committee on Laws and Regulations**; (c) **Committee on Administration and Public Affairs**. Each standing committee shall be composed of a normal complement of four active members and one associate member; (*Committee members will be replaced according to Article VI Section 2.*)

Section 8. Annual committees of the Association shall be as follows: (a) **Nominating Committee** and **Resolution Committee**, each having three active members, no two from the same jurisdiction; (b) **Auditing Committee** having two members; (c) **Associate Membership Committee** comprised of four persons; and (d) **Executive Committee** composed of four elected directors.

Section 9. The fiscal year of the Association shall be the calendar year. The term of the elected office holders and the various committees, except otherwise stated, shall be from the annual meeting in one year to the annual meeting in the succeeding year.

ARTICLE V - ELECTIONS

Section 1. All elective offices and positions shall be filled by elections, using paper ballot. A majority of all votes cast shall constitute the legal choice.

Section 2. At each annual meeting the Chairperson shall appoint a Nominating Committee of three members, equally divided between member jurisdiction, with no two members coming from anyone-member jurisdiction. This committee shall invite the counsel and advice of the delegates of each member jurisdiction.

Section 3. Nominations for all elective offices and positions may also be made from the floor.

Section 4. The terms of the annual committees appointed by the Chairperson serve during his term of office. The term of the Board of Director runs from the adjournment of the meeting at which its members are elected through the succeeding next annual meeting.

ARTICLE VI - DUTIES

Section 1. The Chairperson of the Association is the principal presiding officer and shall preside at all meetings, shall preserve order, enforce the Constitution and by-laws, call special meetings, be an ex-officio member of all committees, the Chairperson of the Board of Directors, and appoint the necessary committees to carry on the work of the Association.

Section 2. The Chairperson shall appoint the members of the standing committees from the active membership and those Advisory Members who qualify under ARTICLE III, Section 3, sub-section (d).

Section 3. Depending upon the type and amount of the work load, the Chairperson of the various standing committees may, with the consent and advice of the Chairperson of the Association, create such sub-committees and appoint Chairperson thereof to increase the efficiency of operations and to make the best use of available talent toward resolving particular problems.

Section 4. Special or Ad Hoc Committees. The Chairperson of the Association may appoint special or ad hoc committees using any combination of the various classes of membership as the need deems to be appropriate. The maximum life of such committees is for a period of two years. However, if the need warrants, an extension of the life of a particular special or ad hoc committee beyond the two year period, the Chairman of the Association may so order, provided, however, that the committee so extended has two memberships dissolved and replaced with two new members who did not serve on the preceding committee. Such committee shall have its Chairperson appointed by the Chairperson of the Association, who will also be an ex-officio member.

Section 5. All such members of the Auditing Committee to be appointed by the Chairperson of the Association from active membership and those Advisory Members who qualify under ARTICLE III, Section 3, sub-section (d), which shall audit the Treasurer's books and report its findings to the Association during the annual meeting.

Section 6. The Chairperson of the Association shall appoint, from the Associate Membership, four persons to the Associate Membership Committee. It shall be the duty of this Committee to function in the best interests of the Association and its membership in the promotion of cooperation and understanding.

Section 7. The Chairperson of the Association shall delegate the Vice-Chairperson to participate and assist in the activities and duties of one or more of the committees of the Association. He shall also delegate the Vice-Chairperson to preside at a particular session or sessions of an Association meeting. In the absence of the Chairperson, the duties of his office shall devolve on the Vice-Chairperson in descending order of election.

Section 8. The Secretary shall keep a record of all the proceedings and actions of the Association. Except financial record which are the duties of the Treasurer.

Section 9. It shall be the duty of the Treasurer to collect all dues and give receipts therefore; upon the approval of the Chairperson shall pay all bills. He shall keep a detailed record of the receipts and disbursements of all funds. He shall make a financial report at each regular meeting. He shall, with the approval and consent of the Chairperson, purchase such books, stationary and supplies as are necessary in the conduct of his office. He shall procure at the expense of the Association a bond in the sum of \$10,000, which shall be placed in the custody of the Chairperson. He shall also procure at the expense of the Association and upon the needs of the Secretary, with the approval of the Board of Directors, the necessary books and other authorized types and forms of equipment. The same shall apply to the needs for the Historian.

Section 10. The Sergeant At Arms shall perform those duties customarily incumbent upon such officer.

Section 11. The Historian shall perform those duties customarily incumbent upon such officer.

Section 12. The Board of Directors shall determine the policies of the Association, shall fill vacancies in any office for the duration of the unexpired term, shall consider and prepare reports on any proposed changes to the Constitution and By-Laws; shall select time and place for annual meetings in connection with recommendations of the body of the Association in this regard, whenever deemed necessary shall request the presence of the Chairperson to all special meetings and shall authorize Executive sessions of the Association, when deemed advisable. For the purpose of this section, the Board of Directors maybe polled by phone.

ARTICLE VII - MEETINGS

Section 1. There shall be regular meetings of the Association held on the approximate annual dates and at times and places selected by the vote of the active membership.

Section 2. The Board of Directors may request the Chairperson to call special meetings. However, no such meeting shall be called within 60 days of any regular meeting.

Section 3. All Association and committee meetings shall be open to all members, except when authorized by the Board of Directors, executive sessions shall be open to active members and those Advisory Members who qualify under ARTICLE III, Section 3, sub-section (d), only.

Section 4. There shall be an Executive session of the Board of Directors immediately preceding each annual meeting of the Association.

ARTICLE VIII - VOTING

Section 1. A quorum exists when a majority of the states having active members in the Association are represented.

Section 2. Each Active member and those Advisory members who qualify under ARTICLE III, Section 3, sub-section (d) shall have one vote on all matters presented to the Association as a body, and if a member of a committee or subcommittee, one vote on all matters presented to that committee.

Section 3. Each Associate or Advisory member shall have one vote on all business matters of the Association except they shall have no voting rights on Standing Committee items and election of officers.

ARTICLE IX - ANNUAL DUES AND MEETING REGISTRATION

Section 1. The Board of Directors may set dues to defray the expenses of the Association.

Section 2. The Board of Directors may set a registration fee to defray the cost of meetings and the annual conference.

ARTICLE X - ORDER OF BUSINESS

1. Call to order by Chairperson
2. Introduction of guests
3. Roll call of member jurisdictions
4. Appointment Of Committees
5. Program
6. Unfinished Business
7. New Business
8. Treasurer's Report
9. Report of Committees
10. Election of Officers
11. Adjournment

ARTICLE XI - PARLIAMENTARY PROCEDURES

Section 1. Insofar as they are applicable to this Association and except as otherwise provide, Robert's Revised Rules on Parliamentary Procedure shall apply.

ARTICLE XII - AMENDMENTS TO CONSTITUTION AND BY-LAWS

Section 1. This Constitution and By-Laws may be altered, amended, or added to, by a two-third majority vote of the active members present entitled to vote; provided, however, there is a quorum present.

Section 2. Proposed changes in the Constitution or By-Laws shall be submitted to the Board of Directors in writing at least 60 days before the date of the next annual meeting. The Chairperson of the Association shall have promptly made by the Secretary copies of the proposed amendments or changes, to be mailed to the members of the Association not later than 20 days before the date of the next annual meeting, at which meeting the proposal or proposals shall be acted upon.

ARTICLE XIII - EFFECTIVE DATE

Section 1. This Constitution shall be in full force and effect upon this date, November 14, 1972 as adopted by the Association and as amended April 12, 1978 and as amended May 12, 1999.

ARTICLE XIV - COMPENSATION

Section 1. The chairperson may receive an annual stipend to be voted upon by the Association and its members at the annual conference.

Section 2. The secretary may receive an annual stipend voted upon by the Association and its members at the annual conference.

Section 3. The treasurer may receive an annual stipend voted upon by the Association and its members at the annual conference.

ARTICLE XV - SUSPENSION OF THE RULES

Section 1. One or more of the Rules of order may be suspended during a meeting by a vote of majority of the members present at the meeting pursuant to the provisions of ARTICLE VIII, Section 1 of the Constitution and Bylaws.