

CONSTITUTION AND BYLAWS
OF THE
CENTRAL WEIGHTS AND MEASURES
ASSOCIATION

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Contents

- ARTICLE I Name**..... 3
- ARTICLE II Objective**..... 3
 - SECTION 1. Purpose..... 3
 - SECTION 2. Actions..... 3
 - SECTION 3. Partners..... 3
 - SECTION 4. Professionalism..... 4
- ARTICLE III Membership** 4
 - SECTION 1. Categories..... 4
 - A. Active membership..... 4
 - B. Associate membership..... 4
 - C. Advisory membership..... 5
 - D. Honorary membership..... 5
 - Section 2. Application and Dues..... 6
- ARTICLE IV Officers and Elected Members**..... 7
 - Section 1. Elected Officers and Elected Members..... 7
 - Section 2. Appointed Officers..... 8
 - Section 3. Duties..... 8
- ARTICLE V Meetings**..... 10
 - Section 1. Types..... 10
 - Section 2. Conduct of Business..... 10
 - Section 3. Voting..... 11
 - Section 4. Quorum..... 12
- ARTICLE VI Executive Committee** 12
 - Section 1. Composition..... 12
 - Section 2. Duties..... 13
 - Section 3. Meetings..... 13
- ARTICLE VII Committees**..... 14
 - Section 1. Standing Committees..... 14
 - Section 2. Annual Committees..... 15
 - Section 3. Other Committees of Sub-Committees..... 15
- ARTICLE VIII Parliamentary Authority** 16
- ARTICLE IX Amendment of Constitution and Bylaws**..... 16

Section 1. Changes..... 16
Section 2. Voting..... 16
Section 3. Effective Date..... 16

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ARTICLE I Name

The name of this association shall be the "**Central Weights and Measures Association**" and may include the following States: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin.

ARTICLE II Objective

SECTION 1. Purpose.

Provide a regional forum for the discussion of questions related to weights and measures administration, regulation, and enforcement at all levels of city, county, State, and Federal Government.

SECTION 2. Actions.

- A. Encourage and promote: Adoption of uniform weights and measures laws, regulations, rules, and orders.
- B. Communication and sharing of information between regulators and device users, retailers, distributors, transporters, sales and service agencies, manufacturers, packagers, trade groups and interested consumers;
- C. Application of uniform inspection, testing, enforcement methods, and equipment;
- D. Maintenance of membership competence through development and distribution of the latest technical and managerial knowledge and its use in training;
- E. Pursuit of equity in the marketplace and prevention of unfair practices and procedures;
- F. Participation in public relations activities to increase the public awareness and understanding of the protection and equity in commercial transactions provided through the weights and measures program, and additionally provide services and educational development to member states and industry

SECTION 3. Partners.

Cooperate with the National Institute of Standards and Technology, the National Conference on Weights and Measures, other weights and measures associations, trade groups, manufacturers, packagers, retailers, scientific organizations, and other interested consumers and industry members to:-

- A. ~~To~~ Encourage and assist in the development and use of weighing, measuring, and counting devices, together with ancillary and auxiliary equipment, meeting the latest requirements throughout the region.

- B. ~~-Encourage~~ and assist in the development and use of testing and examination procedures to establish and verify the latest requirements throughout the region.
- C. ~~To promote~~ the maintenance, growth, and use of weights and measures laboratories in the support of regulatory programs and industry; to support activities designed to insure uniformity of laboratory standards, services, and traceability to the National Standards.

SECTION 4. Professionalism.

Promote the development of professionalism of weights and measures practitioners through:

- A. Improvement of the image and status among the membership and with the public;
- B. Training of new officials to attain professional competence, and of all officials through ongoing programs to maintain competence;
- C. Promotion of uniformity and equity of occupational titles, position descriptions, and compensation.

ARTICLE III Membership

SECTION 1. Categories.

Membership in the association shall be open to those involved in, or concerned with, weights and measures activities and shall consist of three classes of membership: Active, Associate, Advisory, ~~and Honorary.~~

- A. Active membership is open to weights and measures officials actively engaged in regulatory service in the employment of city, county, State ~~and Federal~~ government or sovereign tribal lands within the boundaries of the member States of the CWMA . Active members may:
 1. Vote in the general voting session and the business meeting;
 2. Hold elected or appointed office;
 3. ~~Participate~~ Be members of in the Executive Committee and any other committee or work group;
 4. Be admitted to the Register and participate in Association Annual and Interim meetings.
- B. Associate membership is open to individuals or those representing a consumer group(s), involved in a business group, an industry, or a company or an individual with an interest in weights and measures. Associate members may:

1. Vote in the business meeting;
2. Hold appointed office;
3. Participate-Be members of in the Executive Committee, and any other committees or work groups except the Specifications and Tolerances Committee;
4. Be admitted to the Register and participate in Association Annual and Interim meetings.

C. Advisory membership is open to:

1. Representatives of the Federal Government (~~non-regulatory~~), States and Commonwealths outside CWMA boundaries, U.S. Territories, or Possessions of the United States, their political subdivisions, Sovereign reservations outside CWMA boundaries, and the District of Columbia;
2. Representatives from Foreign Countries or Subdivisions therein;
2. Retired Active or Associate members if they have no current industry or regulatory affiliation.
3. Individuals requested by an officer of the Association to assist in its committee activities;
4. Other interested individuals who do not qualify as Active or Associate members;

Advisory members may:

1. Vote in the business meeting;
2. Hold appointed office;
3. Be members of the the Executive Committee, and any other committee or work group;
4. Be admitted to the Annual and Interim meetings.

D. Honorary membership is:

1. ~~Open to any person who has made a significant contribution to weights and measures activities;~~
2. ~~Free from dues and assessments;~~
3. ~~Without voting or office holding privileges;~~

~~E. To become an Honorary member, an individual must:~~

- ~~1. Be nominated in writing by three members of the Association;~~
- ~~2. Receive a majority of the vote of the quorum present at an Annual Meeting.~~

Section 2. Application and Dues.

Application membership with payment of the prescribed annual dues shall be submitted to the Executive Secretary/Treasurer who will acknowledge receipt by issuing a signed documentation of membership and enter the new member's name on the official roles of the Association.

A. Information to be provided with the application for membership includes:

1. Applicant's full name ~~and residence~~;
2. Jurisdiction, business or employer's full name and address (if applicable);
3. Applicant's title or employment capacity (if applicable);
4. ~~Statement of validity of information provided~~;
4. Personal signature (written or electronic).

B. Membership is on an annual basis from ~~the beginning of the spring annual conference through the beginning of the next annual conference~~ January through December with ~~and~~ dues ~~are~~ payable upon registration at the Annual ~~conference meeting~~ or by mail at that same date.

C. Dues unpaid after sixty days following the close of the Annual ~~conference meeting~~ are in arrears; members in arrears shall not be entitled to any of the rights of membership including voting, holding office, and admission to the meetings.

ARTICLE IV Officers and Elected Members

Section 1. Elected Officers and Elected Members.

Officers and elected members of the Association shall be elected from the Active membership, with the exception of the Executive Committee. (See Article VI, Section 1B)

- A. Officers and Elected Members shall be ~~Eight Seven (87)~~ eleven members to serve on the Executive Committee as indicated below:
1. Chairperson (3rd year of 4-year progressive term)
 2. Vice-Chairperson (2nd year of 4-year progressive term)
 3. 2nd Vice-Chairperson (elected by membership; 1st year of 4-year progressive term)
 4. Past-Chairperson (4th year of 4-year progressive term)
 5. At-Large Member (elected by membership; 4-year term)
 6. Associate/Advisory Member (elected by membership; 4 year term off-set by two years from the term of the other Associate/Advisory Member)
 7. Associate/Advisory Member (elected by membership; 4 year term off-set by two years from the term of the other Associate/Advisory Member)
- B. Following the report of the Nominating Committee at the Annual Meeting, and before the election of officers and members, additional nominations from the floor shall be permitted.
- C. The officers shall be elected by means acceptable to members present, and consistent with Robert's Rules of Order Newly Revised. Elected officers and Elected Members shall begin their term at the close of the annual conference at which they are elected and serve until the close of the annual conference in the year their term expires.
- D. A quorum is needed to conduct an election. A majority of all votes cast shall constitute the legal choice.
- E. No member shall hold more than one elected office at a time and no member shall be eligible to serve more than two consecutive terms in the same elected office. (make sure you want second half to be true of all positions).
- F. (Is this redundant).
- G. The Chairperson shall fill any vacancy arising in an office through appointment, with consent from the Executive Committee for that un-expired term. Should the Chairperson be unable to complete their term, the remaining Executive Committee members shall elect a successor for the remainder of the term of office. If possible, the Executive Committee will select a successor from the same jurisdiction or state to enable continuity of planning for the annual meeting.

(This is discussed below in 3A and should be there; this should be removed so as to not duplicate it.)

Section 2. Appointed Officers.

The following officers of the Association shall be appointed by the Chairperson from the Active, Associate or Advisory Membership:

- A. NCWM Representative (appointed member of Executive Committee; elected by NCWM; 5-year term)
- B. Executive Secretary/Treasurer (appointed member of Executive Committee; 4 year appointment with no limit on number of terms)
- C. Sergeant-at-Arms
- D. Historian (at-will; no term limit)
- E. Parliamentarian (at-will; no term limit)

These appointed officers, with the exception of the Executive Secretary/Treasurer, may hold other positions within the Association.

Section 3. Duties.

The principal duties of the officers are:

2. Chairperson. The Chairperson of the Association is the principal presiding officer, and shall preserve order, enforce the Constitution and Bylaws, appoint members to the Standing Committees and other committees and subcommittees established to carry out the business of the Association, call special meetings, serve as chairperson of the Executive Committee and as an ex-officio member of all Committees; and shall review all requests for purchases and bills rendered. ~~approving only those purchases to be made and the bills to be paid which are within the approved budget.~~ The Chairperson is also responsible for hosting the annual meeting within their state. The Chairperson is responsible for establishing the agendas for the Association Executive Committee and Association Business meetings. Should the Chairperson be unable to complete their term, the remaining Executive Committee members shall elect a successor for the remainder of the term of office. If possible, the Executive Committee will select a successor from the same jurisdiction or state to enable continuity of planning for the Annual meeting. At the end of the Chairperson's term, the outgoing chairperson shall automatically assume the position of Past-Chairperson on the Executive Committee for one year.
3. Vice-Chairperson. The Vice-Chairperson shall assist the Chairperson in the Activities and duties of the Chairperson. In the temporary absence of the Chairperson, the Vice-Chairperson shall fulfill the duties of his office. Should the Vice-Chairperson be unable to complete their term, the

remaining Executive Committee members shall elect a successor for the remainder of the term of office. If possible, the Executive Committee will select a successor from the same jurisdiction or state to enable continuity of planning for the Annual meeting. At the end of the Vice-Chairperson's term, the outgoing Vice-Chairperson shall automatically become the new Chairperson.

4. 2nd Vice-Chairperson. The 2nd Vice-Chairperson shall work with the Chair and the Secretary/Treasurer to begin making arrangements to host the annual meeting in their jurisdiction or state two calendar years after being elected. The 2nd Vice-Chairperson is elected by the membership for a four year term on the Executive Committee. The 2nd Vice-Chairperson progresses from 2nd Vice Chairperson to Vice-Chairperson to Chairperson, and finally to Past-Chairperson. Should the 2nd Vice-Chairperson be unable to complete their term, the remaining Executive Committee members shall elect a successor for the remainder of the term of office. If possible, the Executive Committee will select a successor from the same jurisdiction or state to enable continuity of planning for the Annual meeting.
5. Past-Chairperson. The Past-Chairperson shall work to ensure continuity of operations on the Executive Committee by sharing their knowledge of the past four years of Executive committee proceedings and mentoring newer members of the committee. In the event of the resignation of the Past-Chairperson, the remaining Executive Committee members may elect a successor, request the prior immediate past chair to resume the duties or may choose to leave the position vacant for the remainder of the term of office.
6. Executive Secretary/Treasurer. The appointee shall:
 - Keep a record of the proceedings and actions of the Association (including the official voting results) and provide written minutes of each prior Association business meeting for approval of the membership.
 - Provide a detailed financial statement to the board and the auditing committee thirty days prior to the Annual and Interim meetings.
 - Handle correspondence as directed by the Chairperson, mail membership renewal announcements, and/or coordinate member renewal notices with Annual conference registration notices.
 - Collect all applications for membership including the dues and registration fees, and shall give receipts therefore along with maintaining the membership records of the Association. Mailing of notices to unpaid members shall be within forty-five days following the close of the annual conference.
 - Pay all bills approved by the Chairperson, keeping a detailed record of all receipts and disbursements, and thus making a financial report to the Executive committee at least semi-annually.
 - Make purchases approved by the Chairperson or the Executive Committee
 - **Compile and edit the Association newsletter**
 - Provide support to Committees and members at Association meetings as approved by the Chairman to ensure standing committees have the materials necessary to conduct their meetings and prepare their reports.

~~The Executive Secretary/Treasurer has voting privileges except those items of a financial nature on financial reports prepared by the Executive Secretary/Treasurer.~~

7. Executive Committee Members. See Article VI
8. Sergeant-At-Arms. The Sergeant-at-Arms shall perform those duties customarily incumbent upon that office.
9. Historian. The Historian shall perform those duties customarily incumbent upon that office.
10. Parliamentarian. The Parliamentarian shall assist in assuring meetings of the association are conducted according to Robert's Rules of Order Newly Revised and any special rules adopted by the Association.
- ~~11. Annual Conference Secretary. The Annual Conference Secretary shall assist the Chairperson with registration and all correspondence pertaining to planning and operation of the annual conference.~~

ARTICLE V Meetings

Section 1. Types.

- A. Regular Meetings of the Association include the Annual Conference Meeting for the election of officers, receiving and voting on reports of officers and committees, and transaction of other business approved by the Executive Committee; and the Interim Meeting for the establishment of the agenda for the Annual Conference and handling of other business of the Association approved by the Executive Committee.
- B. Special Meetings of the Association or its committees may be called by the Executive Committee, or upon the written request of twenty members of the Association. The purpose of such meeting shall be stated in the call. Work sessions of the Specifications & Tolerance Committee, The Laws & Regulations Committee, the Professional Development Committee, or task groups appointed by the Chairperson are not considered Special Meetings.

Section 2. Conduct of Business

- ~~A. The order of business for any meeting shall be specified in an agenda or program. In the absence of an agenda or program, the order of business will follow Robert's Rules of Order Newly Revised.~~

- B. Except for executive sessions so announced, all Association meetings shall be open to all members. Attendance at executive sessions shall be limited to members of the committee calling such a session and others invited by the committee Chairperson.
- C. The privilege of the floor is extended to all classes of membership at all meetings open hearings of the Association. ~~except executive sessions.~~

Section 3. Voting.

- A. Each Active member shall have one vote of 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.
- ~~B.~~ 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 elected officers.~~
- C. Each member of the Executive Committee, except the Executive Secretary/Treasurer, shall have one vote on Executive Committee matters. The Executive Secretary/Treasurer has voting privileges except those items of a financial nature nature on financial reports prepared by the Executive Secretary/Treasurer.
- D. Voting on Committee Reports – Committee Reports must be available in paper format to all members present at the time of the voting session. Voting on Committee Reports shall be according to the following procedures:
 - 1. Items presented by the committee – Active members shall vote on the item as presented;
 - a. Passed items shall be forwarded to the NCWM standing committee for consideration;
 - b. Failed items shall be recorded as such.
 - 2. Items amended by the committee – Active members shall vote on the item as amended;
 - a. Passed amended items shall be forwarded to the NCWM standing committee for consideration;
 - b. Failed amended items shall be recorded as such.
 - 3. When voting has been completed on all individual items of a standing committee’s report, the Active Members shall vote;
 - ~~a.~~ ~~To~~ either accept or reject the standing committee’s report in its entirety.
 - 4. There shall be no proxies.

Section 4. Quorum.

A quorum exists ~~when at least one state, county or municipal official is present from seven a majority of the states having active members in the Association are represented.~~ A quorum exists on the Executive Committee when five (5) of the nine (9) voting members are present, including at least one of the following: the Chairperson, the Vice-Chairperson, or the 2nd Vice-Chairperson.

ARTICLE VI Executive Committee

Section 1. Composition.

1. The Executive Committee will consist of nine (9) members. ~~Seven (7) Executive Committee members are~~ Seven (7) Executive Committee members are elected officers of the Association and ~~eight (8) elected voting two are appointed officers. members of the Executive Committee~~ two are appointed officers. members of the Executive Committee The seven elected positions are:Chairperson (3rd year of 4-year progressive term)
2. Vice-Chairperson (2nd year of 4-year progressive term)
3. 2nd Vice-Chairperson (elected by membership; 1st year of 4-year progressive term)
4. Past-Chairperson (4th year of 4-year progressive term)
5. At-Large Member (elected by membership; 4-year term)Associate/Advisory Member (elected by membership; 4 year term off-set by two years from the term of the other Associate/Advisory Member)
6. Associate/Advisory Member (elected by membership; 4 year term off-set by two years from the term of the other Associate/Advisory Member)

The 2 appointed positions are:

- A. Central Association NCWM Representative (member of Executive Committee; appointed by NCWM; 5-year term)
- B. Executive Secretary/Treasurer (member of Executive Committee, 4 year appointment with no limit on number of terms)

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- A. ~~Four (4) of the eight (8) seven (7) elected~~ Four (4) of the eight (8) seven (7) elected members shall be selected from differing state jurisdictions or county or city subdivisions thereof having one or more Active members in the

~~Association. One of the eight (8) seven (7) elected members shall be the immediate past chairperson. Two (2) of the eight (8) seven (7) elected members shall be from the Associate or Advisory membership. One of the eight elected members shall be the secretary-treasurer as an ex-officio member. The Chairperson, Vice-Chairperson, 2nd Vice-Chairperson, and past Chairperson must be from different states within the Association.~~

Section 2. Duties.

- A. The Executive Committee shall have a general supervision of the affairs of the Association between its business meetings, fix the hour and place of the meetings, make recommendations to the Association, and shall perform such other duties as are specified in this Constitution and Bylaws. The Executive Committee shall be subject to the orders of the Association, and none of its acts shall conflict with action taken by the Association.
- B. The Executive Committee shall consider and prepare reports on any proposed changes to the Constitution and Bylaws.
- C. The fiscal year of the Association shall be January 1-December 31. The Executive Committee shall review the budget and financial statements of the Association at the Interim and the Annual Meetings. At the ~~Annual~~ Interim Meeting preceding its fiscal year under consideration, the Executive Committee will establish a budget for the Association and fix the annual dues. At the Interim Meeting preceding the Annual Conference, the Executive Committee shall consider and budget the registration fee for the Annual Conference to fund the estimated expenses.
- D. The Executive Committee shall review the semi-annual reports of the Executive Secretary/Treasurer for conformance with the budget, or for conformance with the actions of the Executive Committee for expenditures exceeding budget.
- E. Business of the Executive Committee may be conducted by phone, ~~or~~ mail ballot, or by electronic means, provided that actions taken on the basis of phone ballots must be confirmed by either subsequent mail ballot, e-mail or a vote of the Committee at its next meeting.
- F. The CWMA Executive Committee shall review the policy and direction of the NCWM Executive Committee as reported by the NCWM Representative and prepare a report for the annual Conference of the Central Weights and Measures Association.
- G. The Executive Committee will determine the compensation provided to any member for service to the Association.

Section 3. Meetings.

- A. The Executive Committee will conduct Association business meetings two times a year, one at the Association Interim Meeting, and the other at the Association Annual Meeting. Special

meetings of the Executive Committee may be called upon the written request of three members of the Executive Committee, or at the call of the Chairperson with the consent of the majority of the Committee Members. Special meetings may be conducted via phone conference or other electronic means.

- B. There shall be a executive session meeting of the Executive Committee immediately preceding the Interim and Annual Conference meetings of the Association, and there may be an executive Session meeting of the Executive Committee immediately preceding the Annual Conference of the National Conference on Weights and Measures.
- C. The Standing committees will meet two times per year, one at the Association Interim Meeting and one at the Association Annual Meeting. The Standing Committees will meet just prior to those meetings to plan their agendas.

ARTICLE VII Committees

Section 1. Standing Committees.

- A. There shall be a Specifications and Tolerances Committee; a Laws and Regulations Committee; and a an Administration & Public Affairs Professional Development Committee.
- B. Membership of the Specifications and Tolerances Committee shall consist of five (5) members, four being Active members (from differing state jurisdictions or city or county subdivision thereof) appointed by the chairperson and the fifth being the senior regional member of the same committee of the National Conference on Weights and Measures as an ex-officio member.
- C. Membership of the Laws and Regulations and Administration and Public Affairs Professional Development committees shall consist of six (6) members, four being Active members (from differing State jurisdictions or city or county subdivision thereof) appointed by the chairperson, the fifth being the senior regional member of the same committee of the National Conference on Weights and Measures as an ex-officio member and the sixth being an Associate or Advisory Member.
- D. Except for the ex-officio member, committee members will serve staggered four-year terms with a new member being appointed each year.
- E. The chairperson of each standing committee shall be elected by the respective committee.
- F. At the Interim and Annual meetings, each standing committee shall prepare and submit to the NCWM a report on the CWMA recommendations for the items on each committee's respective agenda. An initial version of each committee report shall be available in paper format to meeting attendees before the voting session at each meeting.

- G. Role/Representation of others – Measurement Canada/NIST, etc?

Section 2. Annual Committees.

Annual Committees of the Association shall be as follows with members appointed by the Chairperson:

- A. Nominating Committee composed of five (5) Active members, no more than two (2) members from the same State or subdivision thereof, to nominate candidates for the Executive Committee to be voted upon at the Annual Meeting.
- B. Resolution Committee composed of the three (3) Active members to prepare resolutions for consideration by the membership to document policy or position in specific issues or happenings.
- C. Auditing Committee composed of three (3) Active members to examine the books, accounts, and vouchers of the Executive Secretary/Treasurer and report their condition to the membership at the Annual Conference.
- D. Credential Committee composed of three (3) Active Members to serve at the Annual Conference to: make arrangements for registration; supervise registration; prepare a composite membership list adding the names of registrants to the Executive Secretary/Treasurers membership list annotated to identify active members and their authorization to vote; conduct the voting process under the supervision of the presiding officer; and resolve any questions raised concerning those voting on any particular vote.
- E. An Associate Membership Committee composed of at least five (5) Associate members to function in the mutual interest of the Association and the Associate membership in all business functions of the Association.

Section 3. Other Committees of Sub-Committees.

- A. A committee chairperson or a Standing Committee may request establishment of a subcommittee(s) by the Association Chairperson to increase the efficiency of conduct of business. Such subcommittees will be established without a specified term, but must be reviewed for continuation by each incoming Association Chairperson. The Association Chairperson will establish subcommittee(s) based on the recommendations of the Standing Committee Chairperson and will name the chairperson of each subcommittee.

- B. The Association Chairperson may establish, appoint members to, and name the chairperson of, special or ad hoc committees using any committees for up to two years. The life of a committee can be extended ~~providing that two of its members are replaced by two new members who have not served on the particular committee before.~~ Members may be added or replaced as necessary.

ARTICLE VIII Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Association may adopt.

ARTICLE IX Amendment of Constitution and Bylaws

Section 1. Changes.

Proposed changes in the Constitution and Bylaws shall be submitted in writing to the Executive Committee at least 30 days before the date of the next Interim or Annual Meeting, at which meeting it will be presented to the Association for initial consideration. The Executive Committee may make amendments to the proposal in response to questions and comments from the Association membership. The Association Secretary, upon direction of the Chairperson, shall mail or e-mail the amended proposal, together with the recommendation of the Executive Committee, to the Association membership at least 60 days before the date of the next ~~Annual Conference~~ Association meeting, at which ~~meeting~~ it will be brought to a vote.

Section 2. Voting.

This Constitution and Bylaws may be changed by a two-thirds majority vote of the Active members present at the Annual Meeting provided that it constitutes a Quorum.

Section 3. Effective Date.

Approved changes shall take effect at the conclusion of the Annual Meeting at which they were adopted.

Adopted: May 3, 1995 at Lincoln NE

Amended Article VI, Section 1: April 29, 1999 at Springfield MO

Amended Article VII, Section 1: April 29, 1999 at Springfield MO

Amended Article V, Section 3: May 5, 2004 at Omaha, NE

Amended Article VII, Section 1: May 5, 2004 at Omaha, NE

Amended Article VI, Section 2: May 2009 at St. Louis, MO

Amended Article V, Section 3: May 2010 at Springfield IL

Amended Article VII, Section 2 (E): May 2010 at Springfield IL

Amended Article V, Section 3. (C): May 2011 at Grand Rapids, MI

Amended Article II, Sections 1 – 4 at [complete date and location]

Article III, Sections 1 – 2 at [complete date and location]

Article IV, sections 1 – 3 at [complete date and location]

Article V, Sections 1, 3 and 4 at [complete date and location]

Article VI, sections 1 and 2 at [complete date and location]

Article VII, Section 1 at [complete date and location]

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