

CONSTITUTION AND BYLAWS
OF THE
CENTRAL WEIGHTS AND MEASURES
ASSOCIATION

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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.

Encourage and promote:

- A. Adoption of uniform weights and measures laws, regulations, rules, and orders;
- B. Communication and sharing of information between regulators and stakeholders;
- C. Application of uniform inspection, testing, enforcement methods, and equipment;
- D. Member 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, and
- 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. Encourage and assist in the development and use of weighing, measuring, and counting devices, together with associated 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. Promote the maintenance, growth, and use of Weights and Measures laboratories in the support of regulatory programs and industry; to support activities designed to ensure 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 four 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, and State government or sovereign tribal lands within the boundaries of the CWMA. Active members may:
 - 1. Vote in the general voting session and the business meeting;
 - 2. Hold elected or appointed office;
 - 3. Be members of the Executive Committee and any other committee or work group;
 - 4. Register and participate in Association Annual and Interim meetings.
- B. Associate membership is open to individuals or those representing consumer groups, business groups, industries, companies, or individuals with an interest in Weights and Measures. Associate members may:
 - 1. Vote in the business meeting;
 - 2. Hold appointed office;
 - 3. Be members of the Executive Committee, and any other committees or work groups except the Specifications and Tolerances Committee;
 - 4. Register and participate in Association Annual and Interim meetings.

C. Advisory membership is open to:

1. Representatives of the Federal Government, States and Commonwealths outside the CWMA boundaries, U.S. Territories, Possessions of the United States, their political subdivisions, sovereign tribal lands outside the boundaries of the CWMA, and the District of Columbia.
2. Representatives from Foreign Countries or Subdivisions therein.
3. Retired Active or Associate members if they have no current industry or regulatory affiliation.
4. Individuals requested by an officer of the Association to assist in its committee activities.
5. 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 Executive Committee, an Annual Committee, or a workgroup.
4. Register and participate in Association Annual and Interim meetings.

D. Honorary membership is granted to:

Any person who has made a significant contribution to weights and measures activities.

Honorary members:

1. Are free from dues and assessments.
2. May vote in business meetings.

To become an Honorary member, an individual must:

1. Be nominated in writing by any member of the Association.
2. Receive approval from the Executive Committee.

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 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.
 - 2. Jurisdiction, business or employer's full name and address.
 - 3. Applicant's title or employment capacity (if applicable).
- B. Membership is on an annual basis from January through December with dues payable upon registration at the Annual meeting or by mail at that same date.
- C. Dues unpaid after sixty days following the close of the Annual 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).

- A. Officers and Elected Members shall be seven (7) elected members to serve on the Executive Committee as indicated below:
 - 1. Chair (3rd year of 4-year progressive term).
 - 2. Vice (2nd year of 4-year progressive term).
 - 3. 2nd Vice (elected by membership; 1st year of 4-year progressive term).
 - 4. Past-Chair (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 offset by two years from the term of the other Associate/Advisory Member).
 - 7. Associate/Advisory Member (elected by membership; 4 year term offset 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 meeting at which they are elected and serve until the close of the Annual meeting 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.
- F. The Chair shall fill any vacancy arising in an office through appointment, with consent from the Executive Committee for that un-expired term. Should the Chair be unable to complete their term, the remaining Executive Committee members shall select a successor for the remainder of the term of office.

SECTION 2. Appointed Offices.

The following offices of the Association shall be appointed by the Chair 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 (appointed by CWMA Chair; no term limit).
- D. Historian (appointed by CWMA Chair; no term limit).
- E. Parliamentarian (appointed by CWMA Chair; no term limit).
- F. Annual Meeting Secretary (appointed by CWMA Chair; at-will).

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

SECTION 3. Duties.

The principal duties of the offices are:

- A. Chair. The Chairman 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 Chair of the Executive Committee and as an ex-officio member of all Committees; and shall review all requests for purchases and bills rendered. The Chairman is also responsible for hosting the Annual meeting within their state. The Chairman is responsible for establishing the agendas for the Association Executive Committee and Association Business meetings. At the end of the Chairman's term, the outgoing Chairman shall automatically assume the position of Past-Chairman on the Executive Committee for one year.

- B. Vice. The Vice shall assist the Chair in the Activities and duties of the Chair. In the temporary absence of the Chair, the Vice shall fulfill the duties of his office. Should the Vice be unable to complete their term, the remaining Executive Committee members shall elect a successor for the remainder of the term of office. At the end of the Vice's term, the outgoing Vice shall automatically become the new Chair.
- C. 2nd Vice. The 2nd Vice 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 is elected by the membership for a four year term on the Executive Committee. The 2nd Vice progresses from 2nd Vice Chair to Vice to Chair, and finally to Past-Chair. Should the 2nd Vice be unable to complete their term, the remaining Executive Committee members shall elect a successor for the remainder of the term of office.
- D. Past-Chair. The Past-Chair 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-Chair, 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.
- E. Executive Secretary/Treasurer. The appointee shall:
1. 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.
 2. Provide a detailed financial statement to be available at the beginning of the Annual and Interim meetings.
 3. Handle correspondence as directed by the Chair, mail membership renewal announcements, and/or coordinate member renewal notices with Annual conference registration notices.
 4. 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.
 5. Pay all bills approved by the Chair, keeping a detailed record of all receipts and disbursements.
 6. Make purchases approved by the Chair or the Executive Committee.
 7. Administers CWMA Regional web site.
 8. 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.
- F. Executive Committee Members. See Article VI.

- G. Sergeant-At-Arms. The Sergeant-at-Arms shall perform those duties customarily incumbent upon that office.
- H. Historian. The Historian shall perform those duties customarily incumbent upon that office.
- I. 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.
- J. Annual Meeting Secretary. The Annual Meeting Secretary shall assist the Chair and Executive Secretary with registration and all correspondence pertaining to planning and operation of the Annual meeting.

ARTICLE V - Meetings

SECTION 1. Types.

- A. Regular Meetings of the Association include:
 - 1. The Annual 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.
 - 2. The Interim Meeting to review the NCWM agenda items and recommend item status in advance of the NCWM Interim meeting, as well as 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 Chair 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.
- 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 Chair.
- C. The privilege of the floor is extended to all members.

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. All members shall have one vote on business matters of the Association.
- C. Each member of the Executive Committee shall have one vote on Executive Committee matters. The Executive Secretary/Treasurer has voting privileges except on financial reports.
- D. Voting on Committee Reports – Committee Reports must be available 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 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 for Association meeting when at least one regulating official (state, county or municipal) is present from seven of the states having Active members in the Association. 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 Chair, the Vice, or the 2nd Vice.

ARTICLE VI - Executive Committee

SECTION 1. Composition.

The Executive Committee will consist of nine (9) members. Seven (7) Executive Committee members are elected officers of the Association and two are appointed officers.

The seven elected positions are:

- A. Chair (3rd year of 4-year progressive term).
- B. Vice (2nd year of 4-year progressive term).
- C. 2nd Vice (elected by membership; 1st year of 4-year progressive term).
- D. Past-Chair (4th year of 4-year progressive term).
- E. 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).
- F. Associate/Advisory Member (elected by membership; 4 year term offset by two years from the term of the other Associate/Advisory Member).
- G. Associate/Advisory Member (elected by membership; 4 year term offset by two years from the term of the other Associate/Advisory Member).

The 2 appointed positions are:

- 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).

The Chair, Vice, 2nd Vice, and Past Chair 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 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, mail, or electronic means, provided that the vote result is confirmed by the Committee at its next meeting.
- F. The Executive Committee shall review the policy and direction of the NCWM Board of Directors as reported by the NCWM Representative and ensures an update is provided at the Annual Meeting.
- 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 Chair 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 meeting of the Executive Committee immediately preceding the Interim and Annual meetings of the Association.
- 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 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 Chair 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 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 Chair, 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 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 Chair 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 to meeting attendees before the voting session at each meeting.

SECTION 2. Annual Committees.

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

- 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.

SECTION 3. Other Committees of Sub-Committees.

- A. A committee Chair or a Standing Committee may request establishment of a subcommittee(s) by the Association Chair 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 Chair. The Association Chair will establish subcommittee(s) based on the recommendations of the Standing Committee Chair and will name the Chair of each subcommittee.
- B. The Association Chair may establish, appoint members to, and name the Chair of, special or ad hoc committees for up to two years. The life of a committee can be extended as needed. Members may be added, re-appointed, 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 Chair, shall make available 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 Association meeting, at which time 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 members present at an Association Meeting.

SECTION 3. Effective Date.

Approved changes shall take effect at the conclusion of the Association 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: May X, 2020 at Wisconsin Dells, WI

Amended Article III: May X, 2020 at Wisconsin Dells, WI

Amended Article IV: May X, 2020 at Wisconsin Dells, WI

Amended Article V: May X, 2020 at Wisconsin Dells, WI

Amended Article VI: May X, 2020 at Wisconsin Dells, WI

Amended Article VII: May X, 2020 at Wisconsin Dells, WI

Amended Article IX: May X, 2020 at Wisconsin Dells, WI