

CONSTITUTION AND BYLAWS

OF THE

**CENTRAL WEIGHTS AND
MEASURES ASSOCIATION**

Adopted: May 3, 1995

Amended: May XX, 2022

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ARTICLE I – Name

The name of this association shall be the **Central Weights and Measures Association**, herein referred to as the **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 municipal, county, state, and Federal Government and sovereign tribal lands within the boundaries of the Association.

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;
- 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
- G. Provide services and educational development to the Association 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 auxiliary equipment, meeting the latest code 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;
- D. 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 Association membership and with the public;
- B. Training new weights and measures officials to attain professional competence, and of all weights and measures officials through ongoing programs to maintain competence; and
- C. Promotion of uniformity and equity of occupational titles, position descriptions, and compensation.

ARTICLE III – Membership

SECTION 1. Membership Categories

Membership in the Association shall be open to those involved in, or concerned with, weights and measures activities and shall consist of four (4) 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 municipal, county, state government, or sovereign tribal lands within the boundaries of the Association. Active members may:
 - 1. Vote in the general voting session and the business meeting;
 - 2. Hold elected or appointed office;
 - 3. Be a member of the Executive Committee, a Standing Committee, an Annual Committee, or any other committee of work group; and
 - 4. Register and participate in the 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 elected or appointed office (elected office is limited to the Associate/Advisory member position on the Executive Committee);
3. Be a member of a Standing Committee, or any other committees or work groups, except for the Specifications and Tolerances Committee and any Annual Committee; and
4. Register and participate in the Annual and Interim Meetings.

C. Advisory membership is open to:

1. Representatives of the Federal Government, states and commonwealths outside the Association boundaries, United States Territories, Possessions of the United States, their political subdivisions, sovereign tribal lands outside the boundaries of the Association, 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 committee activities; and
5. Other interested individuals who do not qualify as Active or Associate members.

Advisory members may:

1. Vote in the business meeting;
2. Hold elected or appointed office (elected office is limited to the Associate/Advisory member position on the Executive Committee);
3. Be members of a work group; and
4. Register and participate in the 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; and
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; and

2. Receive approval from the Executive Committee.

SECTION 2. Application and Dues

- A. Application for membership, along with payment of the prescribed annual dues, shall be submitted to the Executive Treasurer. The Executive Secretary shall acknowledge receipt by issuing documentation of membership and enter the new member's name on the official rolls of the Association.
- B. 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; and
 3. Applicant's title or employment capacity (if applicable).
- C. Membership is on an annual basis from January 1st through December 31st with dues payable upon registration at the Annual Meeting or by mail at that same date.
- D. Dues unpaid after sixty (60) days following the close of the Annual Meeting are in arrears and the member is considered "not in good standing." Members in arrears shall not be entitled to any of the rights or privileges of membership including voting, holding office, and admission to the Annual and Interim 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 current members "in good standing."

- A. Elected officers and elected members shall consist of nine (9) elected members to serve on Executive Committee (see Article VI for the composition and terms of the Executive Committee).
- 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 the current edition of 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 next 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 (2) consecutive terms in the same elected office, except for the Executive Secretary and the Executive Treasurer who shall have no term limit.
- F. The Chair shall fill any vacancy arising in an office through appointment, with consent from the Executive Committee for the un-expired term.

SECTION 2. Appointed Offices

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

- A. Sergeant-at-Arms
- B. Historian
- C. Parliamentarian
- D. Annual Meeting Secretary
- E. Chaplain
- F. Presiding Officer

These appointed offices have no term limit, serve at-will, and may hold other positions within the Association.

SECTION 3. Duties

The principal duties of the offices are:

- A. Chair: The Association Chair is the principal presiding officer and shall preserve order, enforce the Constitution and Bylaws, appoint members to the Standing Committees, Annual Committees, and other subcommittees and task groups 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 Chair is also responsible for hosting the Annual Meeting within their respective state. The Chair is responsible for establishing the agendas for the Executive Committee and Business meetings. Should the Chair be unable to complete their term, the Vice-Chair shall assume the role and responsibilities of Chair. At the end of the Chair's term, the outgoing Chair shall automatically assume the position of Past-Chair.
- B. Vice-Chair: The Vice-Chair shall assist the Chair in the activities and duties of the Chair. In the temporary absence of the Chair, the Vice-Chair shall fulfill the duties of the Chair. Should the Vice-Chair be unable to complete their term, the 2nd Vice-Chair shall assume the role and responsibilities of the Vice-Chair. At the end of the Vice-Chair's term, the outgoing Vice-Chair shall automatically assume the position of Chair.

- C. 2nd Vice-Chair: The 2nd Vice-Chair shall work with the Chair, Executive Secretary, and Executive Treasurer to begin planning to host the Annual meeting in their jurisdiction or state two (2) calendar years after being elected. Should the 2nd Vice-Chair 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 2nd Vice-Chair's term, the outgoing 2nd Vice-Chair shall automatically assume the position of Vice-Chair.
- D. Past-Chair: The Past-Chair shall work to ensure continuity of operations on the Executive Committee by sharing their knowledge of the past three (3) years of Executive Committee proceedings and mentoring newer members. 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: The Executive Secretary 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. Handle correspondence as directed by the Chair, mail membership renewal announcements, and/or coordinate member renewal notices with Annual conference registration notices;
 3. Collect all applications for membership and maintain 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.
 4. Administer the Association website; and
 5. Provide support to Committees and members at Association meetings as approved by the Chair to ensure Standing Committees have the materials necessary to conduct their meetings and prepare their reports.
- F. Executive Treasurer: The Executive Treasurer shall:
1. Provide a detailed financial statement to be available at the beginning of the Annual and Interim meetings;
 2. Collect all dues and registration fees and issue receipts;
 3. Pay all bills approved by the Chair, keeping a detailed record of all receipts and disbursements; and
 4. Make purchases approved by the Chair or the Executive Committee
- G. Executive Committee: See Article VI.
- H. Sergeant-At-Arms: The Sergeant-at-Arms shall perform those duties customarily incumbent upon that office.
- I. Historian: The Historian shall perform those duties customarily incumbent upon that office.

- J. Parliamentarian: The Parliamentarian shall assist in assuring meetings of the Association are conducted in accordance with Robert's Rules of Order Newly Revised in addition to any special rules of order adopted by the Association.
- K. 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.
- L. Poet Laureate: The Poet Laureate shall perform duties customarily incumbent upon that office.
- M. Chaplain: The Chaplain shall perform duties customarily incumbent upon that office.
- N. Presiding Officer: The Presiding Officer shall perform duties customarily incumbent upon that office.

ARTICLE V – Meetings

SECTION 1. Association Meetings

- A. Regular meetings of the Association include:
 - 1. The Annual Meeting to review the National Conference on Weights and Measures agenda items and recommend item status in advance of the National Conference on Weights and Measures Annual Meeting and for the election of officers, receiving and voting on reports of officers and committees, and the transaction of other business approved by the Executive Committee; and
 - 2. The Interim Meeting to review the National Conference on Weights and Measures agenda items and recommend item status in advance of the National Conference on Weights and Measures Interim Meeting and the transaction of other business 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 (20) members of the Association. The purpose of such meeting shall be stated in the request.

Work sessions of any Standing Committee, subcommittee, or task group appointed by the Chair are not considered Special Meetings and may be convened at the discretion of the respective committee chair.

SECTION 2. Committee Meetings

- A. The Executive Committee will conduct Association Business Meetings two (2) times per year, one at the Interim Meeting, and the other at the Annual Meeting. Special meetings of the Executive Committee may be called upon the written request of three (3) members of the Executive Committee, or at the call of the Chair with the consent of at least five (5)

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 (2) 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.

SECTION 3. 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 4. Voting

- A. Each Active member shall have one (1) vote of all matters presented to the Association as a body, and if a member of a committee or subcommittee, one (1) vote on all matters presented to that committee.
- B. All members shall have one (1) vote on business matters of the Association.
- C. Each elected member of the Executive Committee shall have one (1) vote on Executive Committee matters. The Executive 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 appropriate National Conference on Weights and Measures 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 appropriate National Conference on Weights and Measures 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.
- E. Eligible members may vote virtually if the meeting is held entirely, or in part, electronically in accordance with ARTICLE V, SECTION 6.

SECTION 5. Quorum

A quorum exists for an Association Meeting when at least one regulating official (municipal, county, state, or tribal) is present from the seven (7) 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: Chair, Vice-Chair, or 2nd Vice-Chair.

SECTION 6. Types of Meetings

The Annual and Interim Meetings and associated committee meetings shall be in-person meetings except when an emergency is declared by the Executive Committee allowing for either the Annual and/or Interim Meeting to be held entirely or in part by internet meeting services. The reason for the emergency is at the discretion of the Executive Committee and may include, but is not limited to: a pandemic that prevents a significant number of members from participating in an in-person meeting.

ARTICLE VI – Executive Committee

SECTION 1. Composition

The Executive Committee shall consist of ten (10) members. Nine (9) members are elected officers of the Association and one (1) is an ex-officio member.

The nine (9) elected officers and terms are:

- A. Chair (3rd year of a four (4) year progressive term).
- B. Vice-Chair (2nd year of a four (4) year progressive term).
- C. 2nd Vice-Chair (elected by membership; 1st year of a four (4) year progressive term).
- D. Past-Chair (4th year of a four (4) year progressive term).

- E. Executive Secretary (elected by membership; four (4) year term; no term restrictions and no term limit).
- F. Executive Treasurer (elected by membership; four (4) year term; no term restrictions and no term limit).
- G. At-Large Member (elected by membership; four (4) year term).
- H. Associate/Advisory Member (elected by membership; four (4) year term offset by two (2) years from the term of the other Associate/Advisory Member).
- I. Associate/Advisory Member (elected by membership; four (4) year term offset by two (2) years from the term of the other Associate/Advisory Member).

The one (1) ex-officio member is the National Conference on Weights and Measures Representative.

The Chair, Vice-Chair, 2nd Vice-Chair, and Past-Chair must be from differing states or subdivisions thereof within the Association.

The two (2) Associate/Advisory Members may not be from the same consumer group, business group, industry, company, Federal Government agency, state or commonwealth outside the Association boundaries, United States Territory, Possession of the United States, their political subdivisions, sovereign tribal lands outside the boundaries of the Association, or the District of Columbia.

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 1st through December 31st. The Executive Committee shall review the budget and financial statements of the Association at the Interim and Annual Meetings. At the Interim Meeting preceding the 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 Meeting, the Executive Committee shall consider and budget the registration fee for the Annual Meeting to fund the estimated expenses.
- D. The Executive Committee shall review the semi-annual financial reports of the Executive 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 the vote result is confirmed by the Executive Committee at its next meeting.
- F. The Executive Committee shall review the policy and direction of the National Conference on Weights and Measures Board of Directors as reported by the National Conference on Weights and Measures Representative and ensure 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.

ARTICLE VII – Additional 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 (4) being Active members (from differing states or subdivision thereof) appointed by the Association Chair and one (1) 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 (4) being Active members (from differing states or subdivision thereof) appointed by the Association Chair, one (1) being the senior regional member of the same committee of the National Conference on Weights and Measures as an ex-officio member, and one (1) being an Associate or Advisory member appointed by the Association Chair.
- D. Except for the ex-officio member:
 - 1. Active members will serve staggered four (4) year terms with a new member being appointed each year;
 - 2. Associate members will serve four (4) year terms; and
 - 3. There is no limit on the number of terms a member may serve.
- 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 National Conference on Weights and Measures a report of the Association's recommendations for the items on each committee's respective agenda. An initial version of each committee report shall be available to meeting attendees prior to the voting session at the meeting.

SECTION 2. Annual Committees

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

- A. Nominating Committee composed of five (5) members, at least three (3) being Active members (no more than two (2) members from the same state or subdivision thereof), and up to two (2) may be Associate or Advisory members, to nominate candidates for the Executive Committee to be voted on at the Annual Meeting.
- B. Resolution Committee composed of 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 Treasurer and report their condition to the membership at the Annual Conference. Executive Committee members are prohibited from serving as members of the Auditing Committee.
- D. Credential Committee composed of three (3) Active members to serve at the Annual Meeting to: make arrangements for registration; supervise registration; prepare a composite membership list adding the names of registrants to the Executive Secretary's 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 conduction 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 (2) years. The life of a committee may be extended as needed. Members may be added, reappointed, 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 the Constitution and Bylaws or any special rules of order the Association may adopt.

ARTICLE IX – Amendment of Constitution and Bylaws

SECTION 1. Changes

Proposed changes to the Constitution and Bylaws shall be submitted in writing to the Executive Committee at least thirty (30) days before the date of the next Interim or Annual Meeting, at which it will be presented to the Association for initial consideration. The Executive Committee may make amendments to the proposal(s) in response to questions and comments from the Association Membership. The Executive Secretary, upon direction from the Chair, shall make available the amended proposal(s), together with the recommendation of the Executive Committee, to the Association membership at least sixty (60) days before the date of the next Association Business Meeting, at which time, the proposal(s) 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 Association Business Meeting provided that it constitutes a Quorum.

SECTION 3. Effective Date

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

Record of Change			
Action	Applicable Area	Date	Location
Adoption		May 3, 1995	Lincoln, NE
Amended	Article VI, Section 1 Article VII, Section 1	April 29, 1999	Springfield, MO
Amended	Article V, Section 3 Article VII, Section 1	May 5, 2004	Omaha, NE
Amended	Article VI, Section 2	May 2009	St. Louis, MO
Amended	Article V, Section 3 Article VII, Section 2 (E)	May 2010	Springfield, IL
Amended	Article V, Section 3 (C)	May 19, 2011	Grand Rapids, MI
Amended	Article I Article II Article III Article IV Article V Article VI Article VII Article VIII Article IX	May XX, 2022	Bismarck, ND