

**EAST TEXAS ARSON INVESTIGATORS ASSOCIATION
CONSTITUTION AND BY-LAWS**

**ARTICLE I
NAME & OBJECTIVE**

Section I **NAME:** This organization shall be known as the "East Texas Arson Investigators Association," and is hereinafter referred to as the "Association". The name of the Association shall not be used publicly by any member other than by the use of his membership card for identification purposes, without express permission of the Executive Board. This shall not restrict the officers, appointees, or agents of the Association in the use of the name to carry out the purposes of the Association.

Section II **OBJECTIVES:** The objectives and purposes of the Association shall be:

a.To promote, develop and improve skills, ability and professionalism, by whatever legal means are available in the field of fire cause determination and arson investigation.

b.To present a forum for discussion and investigation of such means.

c.To unite for mutual benefit and common interest all people engaged in the investigation of fire.

d.To provide for the exchange of technical information and new developments in the field of fire investigation.

e.To promote high standards of professional conduct among fire investigators.

f.To strive for greater professional competence in the techniques used by fire investigators.

g.To encourage cooperation between all agencies, public and private, in the battle against arson.

**ARTICLE II
MEMBERSHIP**

Section I **APPLICATION FOR MEMBERSHIP:** Candidates for Association membership must complete an Application for Membership, including having it signed by an active sponsoring member. The completed application must be turned in to the Association and the candidate's name will be presented for consideration at the next Regular Association meeting. A candidate's membership shall be approved or disapproved by a majority vote of the members present. A new member may not sponsor any new member candidates until they have been a member for six (6) months. Application for membership shall be made to the Chairman of the Membership Committee. The 2nd-Vice-President shall be the Chairman of the Membership Committee.

Section II **ACTIVE MEMBERSHIP:** Open to any individual whose predominate professional interest is in the field of investigation, apprehension or prosecution of person(s) suspected of violations of Texas Criminal Laws, especially those concerning Arson. This category shall include, but is not limited to, Commissioned, Certified or Licensed Peace Officers, Fire Marshals, Fire/Arson Investigators, Criminal Prosecutors, Private Investigators and Insurance Investigators, whether or not the position is full-time or volunteer. Active Membership also includes members that have honorably retired from any of the above position and verified by the Membership Committee.

Section-III **ASSOCIATE MEMBERS:** Persons not qualified for regular membership may become associate members. Associate members shall have the privileges of a regular member, except, voting and holding office. The Association may, by majority vote of members present, exclude associate members from any particular business meeting or portion thereof

- Section III** **CHARTER MEMBERSHIP:** All members of the Association at the time of adoption of Constitution and By-Laws shall be charter members and applicants afterwards will be received by Membership Committee.
- Section IV** **GENERAL MEMBERSHIP:** All members, both active and associate, shall pay dues into the Association; such dues to be identical and subject to amounts determined by vote of the active members. All prospective members are to be investigated by the Membership Committee whose recommendations shall be made to the active membership. The prospective member shall be accepted only by majority of the quorum of active members during a regular monthly meeting. Such vote shall be by secret ballot. Membership dues shall run from November 1st through October 31st of the following year. All membership dues are due to the Association on November 1st.
- Section VI-A** **TERMINATION:** Membership in the Association shall terminate by (1) voluntary withdrawal or (2) membership shall be terminated by the Secretary when after notice such member is in arrears by six months in the payment of dues or any other obligation to the Association.
- B** **ELIMINATION:** The Board may censure any member or may terminate the membership of any member in the event (1) such member falsified his application or made any misrepresentation therein, or (2) such member had conducted himself in such a manner as is prejudicial to the good name or best interests of the Association, or (3) such member has exhibited traits of character or conduct inconsistent with the qualifications for membership in the Association. In cases subject to Section VI-B, the board shall provide such member with a hearing, due notice, and an opportunity to be heard. A majority of the Board present in a duly constituted meeting shall be sufficient to cause censure or termination of membership for any reason specified in Section VI-B.
- Section VII** **REINSTATEMENTS:** Any former member may be reinstated in the Association at the discretion of any by the consent of a majority of the Board, provided however, that such a former member shall have been in arrears in the payment of dues or other financial obligation to the Association at the time of his separation, he shall be required to pay to the Association all such arrears as a condition to his reinstatement, unless the Board, by majority vote and for good cause, shall waive the payment thereof.

ARTICLE III ELECTION, TERMS AND OFFICES

- Section I** **OFFICERS:** To be elected by majority vote of members present at the regularly scheduled December meeting. Newly elected officers shall take office on January 1st following December election for a minimum term of two years. There is no limitation as to the number of years that an officer can hold office.
- Section II** **EXECUTIVE BOARD:** Elected officers shall make up the executive board and their duties shall be:
- A. PRESIDENT** – Chief Executive Officer responsible for conducting functions and activities, giving general direction to the Association and appointing the majority of all committees.
- B. 1ST VICE- PRESIDENT** – Assist the President in conducting all functions and activities and act as program chairman. Act as President in absence of the President. The 1st Vice President shall serve on the Audit Committee.
- C. 2ND VICE-PRESIDENT** – If necessary, assist the President and 1st Vice-President in conducting all functions and activities and act as chairman of the Membership Committee. Act as President in the absence of both the President and 1st Vice-President. Act as 1st Vice-President in absence of 1st Vice-President. The 2nd Vice President will also serve on the Audit Committee.
- D. SECRETARY** – Responsible for keeping accurate minutes of all regular and special called general membership meetings and executive Board meetings.

E. TREASURER - Responsible for receiving and disbursing all monies belonging to the Association and keeping accurate records of such transactions. The Treasurer shall report on the Association finances at every meeting.

Section III **VACANCIES:** In the event of a vacancy occurring on the Executive Board between annual meetings, the vacancy or vacancies shall be filled by the President and confirmed by the Executive Board. Such newly appointed member or members of the Board shall hold office until the next annual election.

Section IV At least sixty (60) days prior to the annual Association meeting, the President shall appoint a Nominating Committee consisting of at least three (3) and no more than five (5) members who shall submit to the Membership at the Annual Meeting a list of nominees for all Association offices and vacant positions on the Executive Board. Any member in good standing shall have the right to make nominations from the floor for Officers or for members of the Board.

Section V **INDEMNIFICATION:** Every Director, principal officer or employee of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred or imposed in connection with any legal proceeding to which they may be made a part to, or become involved in by reason of their position past or present, except in such cases wherein they are adjudged guilty of willful misfeasance of malfeasance in the performance of duties of their office

When any question comes before the meeting not specifically provided for herein, the presiding officer shall be governed in his/her decision by the rules laid down in "Robert's Rules of Order", as revised.

ARTICLE IV MEETINGS

Section I Regular monthly meetings shall be held on the 2nd Wednesday each month at a time and place to be fixed by the Executive Board.

Section II Special meetings may be called by a majority of the Executive Board.

Section III To be eligible for active membership benefits, active members should attend at least half of the regularly scheduled meetings.

Section IV Conduct of business at the Annual Meeting shall be according to Roberts' "Rules of Order."

Section V **VOTING OF MEMBERS.**

(a) Each member of a corporation, regardless of class, is entitled to one vote on each matter submitted to a vote of the corporation's members, except to the extent that the voting rights of members of a class are limited, enlarged, or denied by the certificate of formation or bylaws of the corporation.

(b) A member may vote in person or, unless otherwise provided by the certificate of formation or bylaws, by proxy executed in writing by the member or the member's attorney-in-fact.

(c) Unless otherwise provided by the proxy, a proxy is revocable and expires 11 months after the date of its execution. A proxy may not be irrevocable for longer than 11 months.

(d) A member vote on any matter may be conducted by mail, by facsimile transmission, by electronic message, or by any combination of those methods.

(e) Copies of such votes must be maintained and available for review by the membership.

(f) Only one (1) question or voting item can be voted on at a time.

ARTICLE V

FINANCE

- Section I** The Board of Directors shall decide the appropriate dues to be charged for all membership classifications. The Fourth Vice-President shall notify each member of dues owed.
- Section II The First Vice-President and the Second Vice-President shall serve as an Audit Committee to review the finances of the Association and to audit the accounts of the Fourth Vice-President (Treasurer). The Audit Committee shall report the results of its audit to the membership of the Annual Meeting.
- Section III Dues for ALL members will be due November 1st.
- Section IV After approval of the membership, Comprehensive General Liability Insurance with limits of up to \$100,000 shall be carried on the Association.

ARTICLE VI

COMMITTEES

- Section I.** The Standing Committees of the Association shall be:
- (a) Training Committee
 - (b) Constitution and Bylaws Committee
 - (c) Membership Committee
 - (d) Audit Committee
- Section II.** Standing committees shall be created or deleted by amendment of the Constitution and Bylaws.
- Section III.** Committees may be established as directed by the President or majority vote at any Association meeting. When a committee is established, its purpose, membership, and tenure shall be established.
- Section IV.** All committee meetings shall be open. A reasonable attempt shall be made by the chair to notify all members of the date, time and place of the committee meeting not less than five (5) business days prior to the meeting.

ARTICLE VII

AMENDMENTS

- Section I** **REQUIREMENTS:** This Constitution may be amended at any regular meeting of the organization by a vote of two-thirds of the active members present.
- Section II** **INTRODUCTION:** Any proposed Constitutional Amendment shall be voted on at the next scheduled meeting after its written proposal.

ARTICLE VIII. DISSOLUTION

Section I In the event of dissolution of the Association, all assets remaining after payment of outstanding debts shall be donated to a charitable institution selected by the Board of Directors.

Constitutional Changes & Amendments

January 2014 – Constitution and By-Laws rewritten