

**WEST VIRGINIA STATE FIREMEN'S ASSOCIATION**

The Constitution and By-laws of this date are recognized as the official copy.

**CONSTITUTION**

**PREAMBLE**

We the delegates of the fire Companies in the State of West Virginia, in convention assembled, in order to form a more perfect organization, establish harmony and cooperation, insure prosperity and success, provide pecuniary benefits, obtain and compile statistics concerning the practical working of the various systems and the merits of fire apparatus, cultivate fraternal fellowship among companies and departments and promote the best interests of the Firefighters of West Virginia do hereby adopt the following constitution.

**ARTICLE I**

**NAME AND PURPOSE**

**Section 1 --** The name of this Association shall be the "WEST VIRGINIA STATE FIREMEN'S ASSOCIATION." All fire companies in the State of West Virginia shall be eligible for membership.

**Section 2 --** The object of this Association shall be the general improvement of the fire service; to promote the organization of fire companies in towns and villages not having such; to encourage a fraternal and lasting friendship among firefighters; and further to endeavor to accumulate a fund from legacies, bequests, or other sources, for the relief of its members and families in case of sickness or deaths; and to protect such members by accident insurance for injuries in the line of duty, according to the By-Laws that may be enacted by this Association.

**Section 3 --** Definition; where the word company appears in the Constitution and By-Laws it is defined to mean Companies, Departments, Local IAFF or Fire Brigades. Use of the name "Firemen" is not gender related and refers to the personnel of all member fire departments or fire companies. All privileges of the Association membership shall be provided equally and without regard to race, gender, or religious affiliation.

## ARTICLE II

### MEMBERSHIP

**Section 1 --** The membership of this Association shall be the members in good standing of all volunteer and predominately volunteer departments and other Fire Companies in West Virginia, that are recognized and approved by the WV State Fire Commission which have suitable equipment to fight fires, which comply with the provisions of this Constitution in regard to the payment of the yearly dues and the election of delegates and alternates to attend the annual conventions and other meetings of the Association, and whose individual members pay the fees as required by the Constitution and By-Laws. It is, therefore, understood that any member of a fire company, as set forth above, who pays the required fee, is a member of the Association and is entitled to speak on the floor of any convention or meeting but is not entitled to vote unless registered as a delegate or alternate.

**Section 2 --** There shall be a sustaining membership consisting of individual or individuals representing businesses or organizations who wish to support the West Virginia State Firemen's Association, Inc. These individuals shall have the right to speak when so invited, but shall have no voting privileges, may not hold office in this organization, and may not participate in the Association's individual benefit program.

One representative from each sustaining member organization shall be eligible to serve on any committees deemed advisable by the President of the Association, when committee participation is requested by sustaining member organization.

There shall be three levels of sustaining membership; Silver, Gold, and Platinum.

**Silver:** A Silver membership requires a contribution of \$100.00 to \$249.00 annually. Silver members will receive a plaque or certificate acknowledging their level of support of the West Virginia State Firemen's Association.

**Gold:** A Gold member requires a contribution of \$250.00 to \$499.00 annually. Gold members will be entitled to a 50% discount on vendor fees normally charged for display of their merchandise. They will receive a plaque or certificate acknowledging their level of support of the West Virginia Firemen's Association.

**Platinum:** A Platinum membership requires a contribution of \$500.00 or more annually. Platinum members will be entitled to free vendor space of up to three (3) table area for display of their merchandise. They will receive a plaque or certificate acknowledging their level of support of the West Virginia State Firemen's Association.

**Section 3 --** There shall be a membership for honorary members as determined by the association's officers or by a majority of the body assembled at convention. Honorary Members shall have the privilege of admittance to the Association meetings and Convention and be permitted the floor when so invited. They shall be exempt from the payment of dues and cannot vote or hold office.

\*\* This does not apply to the Hall Town Paper Board Fire Brigade which is grandfathered with over 35 years of State Association membership.

## ARTICLE III

### OFFICERS

**Section 1 --** The Officers of the Association shall consist of a President, 1<sup>st</sup> Vice-President, 2<sup>nd</sup> Vice-President, 3<sup>rd</sup> Vice-President, Executive Secretary, Financial Secretary, Assistant Secretary, Treasurer, Attorney-in-Fact and Parliamentarian (dual office), Historian and Sergeant-at-arms each to be elected annually at the convention by the majority of votes cast. They shall serve for one year, or until their successors shall have been elected and qualified.

## ARTICLE IV

### COMMITTEES AND DUTIES

**Section 1 --** The standing committees shall be Auditing, Awards, Constitution and By-Laws, Convention site, Credentials, Executive, Finance, Fire Prevention, Fire Training, Legislative, Membership, Memorial, Nomination, Program, Publicity, and Scholarship, which shall be appointed by the President and shall serve from the date of their appointment until the close of the annual convention following or at the discretion of the president.

**Section 2 --** Each committee shall consist of three members; however, the president may increase the membership to five and may increase the membership of the legislative to nine, whenever it may be deemed necessary and advisable.

**Section 3 --** An exception as to members and term of office is the Executive Committee. It shall consist of three members, one of whom shall be appointed for three (3) years, one for two (2) years, and one for one (1) year (beginning with appointments following the 1967 convention); and at the expiration of the member's term another member must be appointed, so that only one member of this committee will be appointed each year. If a vacancy occurs, at the time a member will be appointed to serve the un-expired term left by the vacancy.

**Section 4 --** The Auditing Committee shall audit the accounts of the officers at least once each year, or more often if in its judgment, it is deemed necessary, and report to the convention in session. It shall have power to demand of the officers or committees of the Association all books, records and papers which it may require to complete its work and may request the presence of any officer or committee person.

**Section 5 --** The Awards Committee shall consist of five members. Its duties shall be to make proper commendation and/or award to any person for meritorious service to the Association. Such awards may be made to a person for exceptionally outstanding and loyal of service over a period of years or to a living person who because of age or disability has been less active than previously. The Awards Committee may also present awards of valor to individuals selected by the committee who (1) have rendered service above and beyond the call of duty and (2) are members of a chartered or recognized fire company in the State of West Virginia.

**Section 6 --** The Constitution and By-Laws committee shall meet and make changes in the Constitution and By-Laws as recommended from the floor of the convention and shall present its findings to the Executive Committee, as provided in Article XI, Section 1.

**Section 7 --** The Convention Site Committee shall assess and put before the convention floor the site of the next convention; shall assure that the convention site agreement is followed and can be maintained by the selected Host Company; shall meet at least once a year to ensure that a site has been selected and meets committee approval before presenting to convention floor for final commitment and vote from convention floor; shall try and recruit hosts and sites for future conventions; and shall solicit and promote this convention for the building of our membership into the State Association.

**Section 8 --** The Credentials Committee shall inquire into and report to the Association all questions referred to it about disputes for admission to membership and shall be at the registration desk during registration hours to code name tags of the delegates and alternates and verify these to be correct. They will have the equipment in position to keep records and scan the delegates and alternates at all sessions for attendance and for the election. The Committee, along with the Treasurer, shall verify that all departments' dues have been paid and are qualified to participate in the election. The Committee shall promulgate rules providing for back-up procedures in case of emergency.

**Section 9 --** The Executive Committee shall direct the contracting of bills and their payment through proper vouchers; shall have charge of the investment of surplus money; shall dispose of unusable equipment owned by the Association; shall fill vacancies for un-expired terms of office; have power to make changes in the rules as may be deemed proper between annual meetings, subject, however to the approval or disapproval of this Association assembled; shall offer suggestions and recommendations or alterations or amendments to the Constitution and By-Laws and shall make annual reports to the Convention in session and special reports to the President.

All expenditures must be approved by the Chairperson of the Executive Committee in accordance with the following procedure.

All vouchers must be signed by the individual submitting the voucher and sent to the Chairperson of the Executive Committee for approval. The voucher is then forwarded to The Executive Secretary who authorizes the Treasurer to issue payment.

Personal Expense Vouchers are used for reimbursement of Expenses and should contain the following information:

- 1.) Travel expense for Association business including air travel, (receipt required), or ground mileage at Wv State Government Rate.
- 2.) Hotel/Motel expense – Receipt required or use per diem: [www.gsa.gov/travel/plan-book/per-diem-rates](http://www.gsa.gov/travel/plan-book/per-diem-rates).
- 3.) Meals expense – Receipt is needed for any meal over \$15.00 or use per diem: [www.gsa.gov/travel/plan-book/per-diem-rates](http://www.gsa.gov/travel/plan-book/per-diem-rates).
- 4.) Other expenses such as toll, taxi fare, parking, etc., should be itemized.

Purchase vouchers are used for purchase from any commercial vendor and should contain the following information:

- 1.) The purpose of the purchase.
- 2.) The quantity of each item purchased.
- 3.) Description of all items purchased.
- 4.) Complete name and address of vendor.
- 5.) If state tax number is required, obtain from Executive Secretary.
- 6.) Voucher must be signed with written signature. Printed names will not be accepted.
- 7.) Purchase voucher may be used for cash advances for personal expenses on association business.

**Section 10 --** The Finance Committee shall be required to meet with the Treasurer and Auditing Committee and inquire into and make suggestions as to the handling of money, books and records; shall cooperate with the Executive Committee in regard to income, expenses and the general administration of the finance and other suggestions as it may have for the best interest and welfare of the Association. All Officers, Standing Committees, and/or related organizations requesting funds for the performance of their duties should prepare an itemized budget request for the Finance Committee at the first day of convention. Any exceptions requested to this rule will be decided by the majority of the Finance Committee Members. The Finance Committee will have the right to increase or decrease each request.

**Section 11 --** The Fire Prevention Committee shall develop a Fire Prevention Program and shall cooperate with the Fire Training Committee, the Publicity Committee, district associations, fire companies, the National Association and Safety Bureaus, the State Fire Marshal's office, and all approved organizations sponsoring fire prevention.

**Section 12 --** The Fire Training Committee shall do all possible to create interest in the attendance at the West Virginia University Fire School and other like training schools and seminars; shall serve with and assist the State Fire Marshal, West Virginia University, and the Program Committee of the Fire School in developing the best possible and most interesting Fire School Program.

**Section 13 --** The Legislative Committee shall formulate, promulgate, and look after passage of such legislation as may be to the interest and benefit of this Association and its membership.

**Section 14 --** The Membership Committee shall do everything possible, and shall call upon all the members of the Association for assistance, to maintain the membership and increase it for both Company and Individual Membership.

**Section 15 --** The Memorial Committee, in cooperation with the Chaplain, shall provide an appropriate memorial service at each Annual Convention or meeting.

**Section 16 --** The Nominating Committee shall consist of five (5) members from five (5) different fire companies who do not currently hold an elected office of this Association and shall meet and nominate officers for the next convention. Letters of acceptance will be sent to the officers and candidates and shall be in possession of the committee thirty (30) days prior to the convention. The Nominating Committee will give its first report on the afternoon of the first day of the convention, with nominations also allowed from the floor on the first day only. No person shall be nominated for more than one office.

The final committee report will be given on the afternoon of the second day of the convention, before the elections, No nominations shall be allowed from the floor on Election Day.

**Section 17 --** The Program Committee, in cooperation with the President and Executive Secretary, shall select suitable subjects and assign them to members and other experienced persons, at the same time notifying the Executive Secretary of its act; shall urge members to whom subjects have been assigned the importance of presenting these subjects in the best possible manner at the time and place requested. It shall report to the Annual Convention upon the work performed and shall report to the President whenever requested to do so.

**Section 18 --** The Publicity Committee Shall formulate and promulgate good relations and advertising of the Association and perform other duties commonly belonging to such committees.

**Section 19 --** The Scholarship Committee shall present rules and regulations for qualifying for the Association Scholarship presented to the Association in convention for adoption; shall distribute to those persons interested in applying for the scholarship, proper application forms for that purposes; shall select annually a person or persons to receive the annual scholarship and announce said winner at the annual convention; shall work with the Volunteer Firemen's Insurance Service and any others interested in donating to the Scholarship Fund and shall perform any other duties normally associated with the administration of a scholarship.

**Section 20 --** A majority present of the members of any of the foregoing committee shall constitute a quorum for the transaction of business.

**Section 21 -** All committees must meet within 60 days after the convention and within 60 days prior to the convention. (revised 8/25/17).

**ARTICLE V**

**MEETINGS**

**Section 1 --** There shall be a least one annual meeting each year which shall be held at such time and place designated by the association at the convention, or meeting, two years in advance not previously voted on. The annual convention or meeting for the official business and election of the officers of the association will be held during the months of July, August, or September, on such date as may be convenient to the host fire company sponsoring the convention and provided the dates selected by the host company is satisfactory to the Association in convention meeting or the Executive Committee, if the convention is not in session provided. It is further provided that the annual convention shall not conflict with the Annual Convention of the Cumberland Valley Volunteer Firemen's Association.

**Section 2 --** Special meetings may be called by the President upon request of the Executive Committee, or on the petition of twelve (12) active member companies, at such place and time as may be determined. All special meetings shall clearly state the business to be transacted.

**Section 3 --** Twelve (12) member companies, represented by at least twenty-four (24) delegates, and at least four (4) elected officers shall constitute a quorum for the transaction of business. This association shall not be dissolved so long as said number of members and officers are willing to continue it.

**Section 4 --** Should there, from any cause, need to be a change in the place or time for holding the annual convention or meeting, or should the Association fail to a designate place and time, the Executive Committee shall notify the member companies of the place and date chosen, three (3) months prior to the time of such meeting.

**Section 5 --** The business of the Association in Annual Convention shall be conducted according to the "Order of Business.

**Section 6 -** At the Annual Convention meeting, a list of all Lifetime Members of the Association shall be read with each Lifetime Member in attendance being recognized. (revised 8/25/17).

**ARTICLE VI**

**REPRESENTATION AND DUES**

**Article VI-A -- COMPANY MEMBERSHIP**

**Section 1--** The fiscal business year of this Association shall be from July 1<sup>st</sup> to June 30<sup>th</sup> inclusive.

**Section 2 --** Each company desiring to hold membership in this Association shall pay a membership fee of NO LESS THAN ONE HUNDRED DOLLARS (\$100.00) or an amount of increase as determined by a convention convened, which shall become effective the following July 1<sup>st</sup>. Membership will entitle such company to five (5) delegates. Each company shall pay to the Financial Secretary, no later than the completion of first scanning of delegates to the Annual Convention each year, the amount of fee as set forth by the previous Convention convened.

**Section 3 --** No other individual fees, (except as provided in Section 6, DUES OF INDIVIDUAL BENEFIT MEMBERS; fees for Convention program activities; or registration fees at or for attendance at Convention), shall be charged any delegate, guest or visiting firefighter at any Annual Convention or Association meeting.

**Section 4 --** Each company complying with Section 2, shall be entitled to elect annually five (5) delegates and five (5) alternates to attend the Annual Convention, who shall be representatives of their respective organizations for one (1) year and entitled to participate in the proceedings of the Annual and Special Conventions or Meeting during the year for which the dues of their organization have been paid, in accordance with Section 2.

**Section 5 --** Each company, electing delegates and alternates to the Annual Convention shall furnish said delegates and alternates with proper credentials certifying to their election, and signed by the President or Fire Chief, and Secretary of their organization. These credentials shall be presented to the credentials Committee no later than the completion of the first scanning of delegates and alternates at the Annual Convention. Any changes requested by any company shall be submitted to the Credentials Committee for approval, computer coding, and registration.

**Section 6 --** The members of any company, which shall fail to pay its annual dues, as provided in Section 2, shall cease to be members of this Association and be debarred from participation in any of its benefits until all arrearage of dues shall have been paid.

**Section 7 --** Delegates and past delegates may become Individual Members and will be entitled to benefits in this Association by the payment of dues of One (1) dollar each per annum, as set forth in Article VI-B Section 10.

**Section 8 --** Members herein mentioned in Section 7, not being delegates for their respective fire companies, shall have no vote in the annual convention or special meetings; but, they may have the privilege of the floor. (Note: It is not necessary to be an Individual Member in order to be a delegate.)

**Section 9 --** Any firefighter who attends may be afforded the invitation to speak on the floor when the convention convenes, but voting rights and the right to hold an office are excluded. Right to hold office is reserved for company delegates, alternates who have fulfilled the same requirements as a delegate, and lifetime members. It shall not be necessary for a firefighter to hold an Individual Membership as provided in Article VI-B in order to be afforded the benefit of this section.

**Section 10--**Any member failing to pay their dues shall not participate in the benefits of this Association.



**Article VI-B—Individual Benefit Membership Qualifications**

**Section 1--** The individual cannot be under eighteen (18) or over fifty (50) years of age at the time of the application for membership is made.

**Section 2--**Any person between the age of forty-five (45) and fifty (50), inclusive, will not be eligible for Death Benefit until one (1) year has elapsed from the date of application. Death Benefit payments will be paid only during the second and/or subsequent years of membership.

**Section 3--**Section 2 above, also applies in the event any Individual Benefit Member may become delinquent in dues and comes within the above age restriction when he is reinstated as an Individual Benefit Member.

**Section 4 --** The applicant must be a member in good standing on the roster of an organized fire company (in the State of West Virginia), that is a member of the West Virginia Firemen's Association.

**Section 5--**An individual must continue to be a member, or an honorary member, in good standing of a company, as long as he continues to be an Individual Benefit Member of this Association; however, it is not required that his home company to hold membership in this Association, in order for the applicant to continue as such Individual Member.

EXCEPTION: If an Individual Benefit Member with three (3) consecutive years of such membership and with good standing with his local fire company is compelled to leave the jurisdiction of his local fire company and move away from the local area or state because of employment, health, or retirement, he may maintain and continue his Individual Benefit Membership in the Association by paying to the Assistant Benefit Secretary the dues of one (1) dollar per annum in the same manner and by the same date as provided for Individual Benefit Members under Article VI-B Section 10. This applicant is subject, however, to all other provisions and regulations as set forth for Individual Benefit Member qualifications in the Constitution and By-Laws.

**Section 6--**After becoming an Individual Member, a member's dues shall not lapse. Payments must be continued annually, until death. If a lapse should occur, reinstatement can only be made in accordance with the following subsections which provide the same.

**Section 7--** After becoming a Member, an individual may continue membership after becoming fifty (50) years of age, provided dues are paid regularly, on or before July 1<sup>st</sup> of each year.

**Section 8--**Should any Individual Benefit Member become delinquent in his dues, he may be reinstated as a member, provided the following requirements are met:

- (a) If he is between the age of forty-five (45) and fifty (50), he must pay all delinquent dues in full and become current.
- (b) He must furnish the Assistant Secretary of this Association an “Application for Reinstatement by Overage Member”, duly made out in full and certified thereto by the same authority as on the original application.
- (c) A reinstated member will not be eligible for the Death Benefit until one (1) year has elapsed from date of his reinstatement.
- (d) If he is forty-four (44) years of age or younger and is three (3) years or less delinquent in his dues, he must pay all delinquent dues in full.
- (e) If he is forty-four (44) years of age or younger and is more than three (3) years delinquent in dues, he may make application to be reinstated as a new member.

**Section 9--**The Association may grant a thirty (30) day “grace period” to Individual Benefit Members in the payment of their dues and, in such event, shall define the manner and method in which such members shall take advantage of same.

**Section 10 -- DUES OF INDIVIDUAL MEMBERS:** Individual members, to receive benefits in this Association, shall pay a membership fee of One (1) dollar, each, which fee shall include dues for any remaining months previous to the following July 1<sup>st</sup>; and shall pay dues of One (1) dollar, each, per annum, to the Assistant Secretary, in the same manner as provided in the foregoing applicable Section of this Article. Such members will be admitted upon proper application signed by the applicant and credentials by the officers of their respective companies, and certified by the Secretary of the same.

## **Article VII**

### Nomination and Election of Officers

**Section 1--**All officers of this Association and the place of the next two (2) annual conventions not previously voted on, shall be nominated and elected at the regular annual convention, as designed in the Order of Business. No member shall be nominated for any office unless he/she is in attendance, or excused for association business, and is in good standing in the records of the Association.

**Section 2--**Any delegate who has held an office for two (2) years or more and due to an emergency situation can not be in attendance for re-nomination or nomination will be officially excused. Delegates being nominated for the first time must be present as designated in the By-Laws, Article II, Section 1.

**Section 3--**The election of officers and Fire Commission Nominees shall be conducted as follows: The President shall appoint a judge, two tellers, and a clerk from the floor of the convention, who shall have sole charge of the election; however, no member shall be judge, teller, or clerk in his own election.

**Section 4—** (a) All elections of officers shall be held by ballot. Elections will require a majority of the valid votes cast with each company being entitled to five (5) delegate votes, plus the votes of any lifetime members if present. If there is no more than one candidate for an office, then a ballot vote is not required, the Executive Secretary shall cast a voice vote for the office.

(b) If there is more than one candidate for election for an office, a colored wristband shall be used to signify who is allowed to vote in the election under Association rules. The wristbands are to be issued when scanning at the afternoon session on 2nd day. A different color for each year shall be used. Otherwise, the Executive Secretary shall continue to cast the vote for all the members at the Convention under subsection (a) above.

**Section 5--** The President shall be elected from a Fire Company with active membership in the State of West Virginia Firemen's Association.

Candidates for the office of President shall:

- (a) Have been in attendance of at least five (5) conventions within a ten (10) year prior to being elected President.
- (b) Have served on a committee or held office within three (3) years of the convention at which he is a candidate.

**Section 6--**Delegates must be present and registered at the first day of the convention to be able to vote in the election of officers, with the following conditions:

- (a) Must attend at least two (2) sessions and be scanned into the records, one (1) on the first day and one (1) on the second day just prior to the election.

The act of being scanned into the records to be able to vote, is the responsibility of the delegates and alternates. Scanning of Delegates and Alternates will cease ten (10) minutes after start of session. The Credentials Committee will be at the registration desk until the convention convenes, and will sit at the Main Entrance of the meeting room for each delegate and alternate to be scanned at all sessions to record those in attendance for the election. The Credentials Committee shall have a back-up system in case of equipment failure of the computer and the sound system. The sound system shall be checked repeatedly each day before the start of a session to guarantee operational status.

- (b) Each Member Company can have two (2) excused delegates.
- (c) Member Companies may have emergency excuses in cases of disaster.

**Section 7--**Any delegate may be replaced by any alternate at any time as long as that alternate has also been scanned into the records the same as delegates, as provided in (a) of Section 6, providing that no company may have more votes than the number who have been in attendance and scanned in for the two days as required.

**Section 8--**Qualifications for State Fire Commission nominees are as follows:

- 1.) Must be from a Fire Company with active membership in the West Virginia State Firemen's Association.
- 2.) Must be an active or retired volunteer firefighter.
- 3.) Must be in attendance at Convention meeting in which he is nominated, or officially excused for Association business.
- 4.) Must have served as an officer, or on a standing committee within the last four (4) years of the convention at which he is a candidate, or listed as a lifetime member of the Association.
- 5.) Must be officially registered as a Delegate or Alternate Delegate at the Convention being convened.
- 6.) Any representative elected by the WV State Firemen's Association to be considered for appointment to the WV State Fire Commission by the Governor of the State of WV, will, (if appointed). Abide by all resolutions or directions of the membership or executive committee when voting during WV State Fire Commission meetings. Failure to do so may result in their name being removed from future nominations to the WV Fire Commission as a representative of the WV State Firemen's Association, if agreed upon by 2/3 of voting members convened.
- 7.) All Fire Commissioners representing the WV State Firemen's Association shall provide a combined activities report, in writing, at each annual convention.

## Article VIII

### Duties of Officers

**Section 9**—The President shall preside at all meetings of the Association, appoint and be ex-officio member of all committees, preserve order and decorum, call special meetings when in the President’s judgment it is necessary or when on the petition of twelve (12) active member companies in good standing, and refer questions of dispute to the Executive Committee.

The President shall be governed in rulings by “Robert’s Rules of Order”, which is hereby recognized as authority, The President shall be allowed to vote only when there is a tie in balloting for officers and upon the call for yeas and nays.

The President shall appoint all committees within ten (10) days after the annual convention. The President shall appoint representatives to other related organizations at the appropriate time. The President shall require a written report by each committee, appointed representative and officer, of the business transacted through these offices through the year, at the first day’s session of each annual convention or meeting. After serving one (1) term as President, the President is automatically awarded the status of Past President and

Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The President shall be reimbursed for convention expenses at the annual convention by the host company. Should the President not perform his duties in completion for the year, including presiding at the convention, he shall not be accorded the status of lifetime member of this association and thereby will not be entitle to vote on the floor of the convention unless registered as a delegate or alternate.

**Section 2**—The First Vice-President shall perform all the duties of the President upon the President’s absence at any function of the Association. The First Vice-President’s primary duties are to serve as the coordinating officer with the Auditing, Finance, Legislative, and Publicity Committees. It will be the responsibility of the First Vice-President to oversee the function of these committees and to report to the President and the Executive Committee of his actions throughout the year. After serving as a Vice-President for five (5) consecutive terms, he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The First Vice-President shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 3**—The Second Vice-President shall perform all the duties of the President and First Vice-President upon their absence at any function of the Association. The Second Vice-President's primary duties are to serve as the coordinating officer with the Convention Site, Fire Prevention, Fire Training and Program Committees. It will be the responsibility of the Second Vice-President to oversee the function of these committees and to report to the President and the Executive Committee of his actions throughout the year. After serving as a Vice-President for Five (5) consecutive terms, he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Second Vice-President shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 4**—The Third Vice-President shall perform all the duties of the President, First Vice-President, and Second Vice-President upon their absence at any function of the Association. The Third Vice-President's primary duties are to serve as the coordinating officer with the Awards, Constitution and By-Laws, Membership, and Scholarship Committees.

It will be the responsibility of the Third Vice-President to oversee the function of these committees and to report to the President and the Executive Committee of his actions throughout the year. After serving as a Vice-President for five (5) consecutive terms, he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Third Vice-President shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 5**—The Executive Secretary shall write and sign all orders drawn on the Treasury, shall keep detailed records of all expenditures pertaining to the Association's business excluding the Individual Benefit Membership's Fund and shall keep a complete record of the proceedings at all meetings. The Executive Secretary shall receive, answer, and file all communications and papers pertaining to the business of the Association. The Executive Secretary shall deliver to the newly elected Executive Secretary all books, papers, and other property of the Association in his possession. After the Executive Secretary has served five (5) consecutive terms, said person is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Executive Secretary shall be reimbursed two hundred dollars (200.00) for convention expenses at the annual convention.

**Section 6**—The Financial Secretary shall be in charge of all company membership and other membership so designated by the Association excluding the Individual Benefit Membership's Fund. Said Secretary shall be in charge of articles sold by the Association, shall keep a true and correct account of all money coming into his hands and pay the same promptly to the Treasurer including all receipts and shall be prepared at all times to submit the books for audit. The Financial Secretary shall deliver to the newly elected Financial Secretary all books, and other property of the Association in his possession. After the Financial Secretary has served five (5) consecutive terms, said person is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Financial Secretary shall be reimbursed two hundred dollars (200.00) for convention expenses at the annual convention.

**Section 7**—The Assistant Secretary shall be in charge of the Individual Benefit (Insured) Membership and shall keep the books, membership rolls and all the records pertaining to the Individual Benefit Members, shall collect membership fees; shall keep a true and correct account of all money coming into the office accounts and shall pay the same promptly to the Treasurer, including all receipts for the same, shall keep a complete set of records of all individual applicants; shall process Death Benefit Claims; shall receive, answer, and file all communications and papers in connection with the company; and shall, at all times, be under the supervision and responsible to the Executive Secretary and Treasurer, as well as the Executive Committee and the Board of Governors of the Death Benefit Fund; shall keep a complete record of the proceedings and the minutes especially pertaining to this department; and shall furnish, annually, a detailed statement of all receipts and expenditures and be prepared at all times to submit the office books for audit; and shall deliver to the office successor all books, papers and other property of this office and Association; and shall handle any other business and details as directed by the Board of Governors of the Death Benefit Fund and Officers of this Association.

After serving five (5) consecutive terms, he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Assistant Secretary shall be reimbursed two hundred dollars (200.00) for convention expenses at the annual convention.

**Section 8**—The Recording Secretary shall keep a true and accurate record of all proceedings at the annual convention, and prepare a typewritten copy of the same to be submitted to the Executive Secretary within ninety (90) days of the close of the convention. The Recording Secretary of this Association will be appointed by the President, with the approval of the Executive Committee and the Executive Secretary.

The Recording Secretary shall at all times be under the supervision of the Executive Secretary as well as the Executive Committee. The Recording Secretary shall be reimbursed Four hundred dollars (\$400.00) for convention expenses at the annual convention.

**Section 9**—The Treasurer shall keep a true and correct account of all money belonging to this Association which may come into his hands and disbursements of the same, make an itemized report of the conditions of the treasury annually, or more often, as requested. He shall not disburse any money except upon an order signed by the Executive Secretary or Assistant Secretary. At the expiration of his term of office, he shall deliver to his successor all monies, books, records, and papers belonging to this Association in his possession. After he has served five (5) consecutive terms, as Treasurer, he is automatically accorded the status of Lifetime Member of this Association. The Treasurer shall be reimbursed two hundred dollars (200.00) for convention expenses at the annual convention.

**Section 10**—The Executive Secretary, Assistant Secretary, Financial Secretary and the Treasurer shall give security, by bond, in such sums as the Executive Committee may determine; the charge of the Surety Company issuing said bond shall be paid by this Association.

**Section 11**—The Attorney-In-Fact and Parliamentarian shall give and accept legal notices, services, and communications; serve in an advisory capacity to the officers, committees and this Association; decide rules of order and procedure of conduct of meetings, the Constitution and By-Laws; and perform other duties commonly belonging to this office. After he has served five (5) consecutive terms as Attorney-In-Fact and Parliamentarian, he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Attorney-In-Fact and the Parliamentarian shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 12**—The Chaplain shall be in charge of and conduct memorial services; open and close the meeting with prayer when requested by the President or officer in charge of the convention or meetings; and shall perform other duties commonly belonging to this office. The Chaplain shall be selected from the Host Company holding the annual convention.

**Section 13**—The Historian shall have supervision of the historical records of this Association and keep them up-to-date by revision each year; shall co-operate in the publication of the same in the program of the annual convention, when requested to do so by any executive officer of this Association or the host company sponsoring the convention; and perform all other duties commonly belonging to this office. After he has served five (5) consecutive terms as Historian he is automatically accorded the status of Lifetime Member of this Association and thereby is entitled to vote on the floor of the convention and all meetings of this Association. The Historian shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 14**—The Sergeant-At-Arms shall preserve order at the meetings; wait upon the President, Secretary and other officers of this Association in need of service and shall perform all other duties commonly belonging to this office.

After he has served five (5) consecutive terms as Sergeant-At-Arms he is automatically accorded the status of Lifetime Member of this Association and is entitled to vote on the floor of the convention and at all meetings of this Association. The Sergeant-At-Arms shall be reimbursed two hundred dollars (\$200.00) for convention expenses at the annual convention.

**Section 15**—The elected officers shall continue to supervise the Association and Committees operations throughout the year until the next convention election.

**Section 16**—All other officers and committees shall perform the duties commonly belonging to their respective offices.

**Section 17**- Any Officer of the association that has performed an action that results in the conviction of a felony offense that is brought before the Executive Committee in writing shall be determined as whether or not be sanctioned and/or possibly removed from the position of which he/she holds. Later by the association at convention shall vote by secret ballot to confirm the action of the officers and Executive Committee.

**Section 18** - Any Officer, having been elected to an office for 5 of 7 years, regardless of the Office elected to, shall be automatically accorded the status of Lifetime Member of the Association and is entitled to vote on the floor of the convention and at all meetings of this Association. (revised 8/25/17).



## ARTICLE IX

### DEATH BENEFITS

**Section 1**—Upon the death of an active Individual Member, in good standing, who having paid his dues in full, the Association shall pay to the beneficiary named by him, the sum of two hundred dollars (\$200.00) as set forth by the Board of Governors of this Association.

**Section 2**—There shall be a committee on Death Benefits, to be officially known as the “Board of Governors of the Death Benefit Fund”, which shall consist of the President, Assistant Secretary, Treasurer, Attorney-In-Fact and the Chairman of the Executive Committee.

**Section 3**—The President of this Association shall be President and the Assistant Secretary of this Association the Secretary of the “Board of Governors of the Death Benefit Fund”. Claims shall be presented to the Secretary of the Board in such manner and form as the Board shall prescribe. They shall direct payment of the same in accordance with Section 1 thereof. They shall report at each meeting upon the claims presented to them and their actions thereon. In the event of an appeal from an adverse, or any, decision of the Board, the same shall be determined by the Association in Convention and shall be final.

## ARTICLE X

### TERMINATION OF ASSOCIATION

**Section 1**—Upon dissolution of this Association, its assets and funds remaining after discharge of its liabilities shall be distributed among its certified tax exempt member companies.

## ARTICLE XI

### AMENDMENTS AND BY-LAWS

**Section 1**—No amendments or alterations shall be made to this constitution, except the same be proposed in writing and submitted to the Constitution and By-Laws Committee and Executive Committee at least sixty (60) days prior to the convention and presented to the convention by the Executive Committee; proposed changes to the By-Laws shall be presented the first day of the convention and a vote taken on the following day. Changes will be adopted only upon the concurrent vote of two-thirds of the delegates and voting members present in assembled convention.

**Section 2--** By-Laws for the government of the Association shall be adopted by two-thirds (2/3) vote of all delegates and voting members presents.

**Section 3**—By-Laws may be amended, from time to time, in the same manner as for amending the Constitution.

## BY-LAWS

**Section 1**—The Executive Committee shall hold meetings at such times and places as it deems advisable, subject to response to a called meeting, at any time or place, by the President.

**Section 2**—If any five (5) members shall request a hand vote, the yeas and nays shall be taken and entered upon the records of this Association.

**Section 3**—Any five (5) members may call the “previous question” and if it is ordered, all debate shall cease and the pending question shall be at once put to the convention.

**Section 4**—The President of the convention shall decide all question of order, without debate, subject to an appeal of the convention. In case of an appeal, the point of order may be debated.

**Section 5**—A member called to order shall immediately take his seat until the point of order is decided when he shall be, again, entitled to the floor. Each member, when desiring to speak, shall rise and address the president, and wait to be recognized by the President, whereupon the member may begin speaking; and, while speaking, shall confine him/herself to the question and shall not use any personalities or indecorous language.

**Section 6**—The ORDER OF BUSINESS shall be:

1. Opening ceremonies.
2. Invocation and salute to the flag.
3. Call to order.
4. Report of the Credentials Committee.
5. Appointment of special committees and filling of any vacancies on committees.
6. Reading of correspondence, bills, accounts, and proposed By-Laws etc.
7. Approval of minutes of previous convention and meetings.
8. Recognition of Allied Organizations and special guests.
9. Report of Officers and Committees.
10. Nominations for future sites of conventions.
11. Report of the Nominating Committee and nominations from the floor. (Last item of business at the first day afternoon session.)
12. Unfinished business.
13. Selection of next two (2) sites for conventions.
14. Election of Officers.
15. New Business.
16. Suggestion for the good of the organization.
17. Adjournment.

Note: (1) Installation of officers, the Awards Committee's presentation, the Fire Prevention Committee's presentation and the Scholarship Committee's presentation should be held at the banquet.

(2) Pronoun references in these By-Laws "he, His, or him" are not gender related, but are only used for readability. All privileges of the Association membership shall be provided equally and without regard to race, gender, or religious affiliation.

#### BY-LAW CHANGES

BY-LAW CHANGES APPROVED AT WEST VIRGINIA STATE FIREMEN'S  
ASSOCIATION CONVENTIONS SINCE 2013 ARE INCLUDED.  
UPDATED 7/26/19.