



Constitution and By-Laws

of the

Texas Environmental Health Association

As Amended September 11, 2004



Constitution

Article I

This organization shall be known as the Texas Environmental Health Association.

Article II—Objectives

Section 1. To Protect and strengthen the status of the Professional Sanitarian and the Environmental Health Professional.

Section 2. To strive for recognition of the Association as a scientific group rendering service for the general welfare of the public.

Section 3. To encourage reciprocal cooperation of the various branches and departments of government and industry with activities directed toward the improvement of the environment.

Section 4. To bring about harmonious and cooperative effort for better understanding and more efficient rendering of Sanitarian and Environmental Health Professional duties and responsibilities.

Section 5. To bring about standardization in the interpretation of Environmental laws and practices in the state of Texas.

Section 6. To encourage the establishment of courses of instruction and schools of training for the purpose of increasing knowledge and efficiency of Sanitarians and Environmental Health Professionals.

Section 7. To foster and promote high standards of attainment by Sanitarians and Environmental Health Professionals in their work and in their qualifications for engaging therein.

Section 8. To establish a central point of reference for its members.

Section 9. To inform the general public and industry, through good public relations procedures, of the present work performed in Environmental Science and the future goals of the Association.

Section 10. To promote better understanding and closer working relationships among this Association, Industry, and other professional groups.

Section 11. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) and political campaign of behalf of any campaign for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on:

(A) by a corporation exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or

(B) by a corporation, contributions of which are deductible under Section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any other future federal tax code.

Article III—Definitions

Section 1. Association as used hereinafter shall mean the Texas Environmental Health Association.

Section 2. A Sanitarian shall be defined as the person who is qualified by education and experience in the field of Biological and Environmental Science and Technology to engage in the promotion of Consultative Services in the Environmental field and who carries out educational and inspection duties to protect human health, safety, and welfare and to enhance the environment. A Sanitarian shall possess a valid Certificate of Registration as a Professional Sanitarian. A Sanitarian-In-Training shall be defined as a person who is registered and working to establish sufficient professional knowledge and/or experience to be eligible for a Certificate of Registration.

Section 3. An Environmental Health Professional shall be defined as a person who is qualified by education and experience in the field of Biological and Environmental Sciences and Technology to engage in the promotion of Consultative services in the Environmental field and who carries out educational and inspection duties to protect human health, safety, and welfare and to enhance the environment.

Section 4. Member shall mean anyone who holds a membership of any kind in the Texas Environmental Health Association.

Section 5. Industry shall mean any form of business that is in any way regulated or advised by persons actively engaged in performing the work of a Professional Sanitarian or Environmental Health Professional.

Article IV—Membership

Section 1. There shall be six classes of membership designated as Active, Associate-Industry, Honorary Life, Life Member, Fellow, and Student.

Section 2. The right to hold office in the Association shall be extended to all classes of membership.

Section 3. The right to vote shall be limited to any current member of the Association.

Section 4. Membership may be obtained by submitting an application for membership. Dues in advance for one year must accompany the application. Upon receipt of application and dues, Executive Secretary-Treasurer shall review the application and notify the applicant that s/he has or has not been accepted for membership in the Association.

Article V—Governing Body

Section 1. Officers

(A) The officers of the Association shall consist of a President, President-Elect, First Vice- President, Second Vice-President, and Executive Secretary-Treasurer.

(B) Term of office is for one year.

(C) The election of officers of the Association shall be conducted as set out in the By-Laws of the Association.

Section 2. Governing Council

(A) There shall be a Governing Council of the Association, which shall consist of:

(1) The elected officers of the Association.

(2) The President of each local Chapter of the Association.

(3) Six members elected by the Membership by means of a ballot as outlined in the By-Laws of the Association.

(4) The immediate Past-President of the Association who will serve as a Councilor for one year.

(B) Term of office for the elected members shall be for three years with one third of the council retiring each year.

(C) The terms of the officers and Governing Council shall begin at the close of the annual meeting after fulfilling their respective tenure.

(D) In the event of a vacancy in any elective office during the year, the vacancy will be filled by appointment of the Governing Council.

(E) No member shall serve more than two consecutive terms on the Governing Council.

(F) Should an elected officer or Councilor of the Association be elected President of his or her local Chapter, the next ranking officer of the chapter shall serve on the Governing Council.

Section 3. Advisory Board

The Governing Council may select advisory boards to be comprised of persons in other Public Health fields or industry. This shall be left to the discretion of the Governing Council. Term of service is to be regulated by the Council.

Section 4. Historian

The President of the Association may select a person from the membership to serve perpetually as Historian. Duties may include compiling a history of the Association, maintaining pertinent records, photographs, documents and other items related to events and achievements of the Association, and any other activities deemed appropriate to commemorate under Article II—Objectives.

Section 5. Parliamentarian

The President of the Association may select a person from the Membership to serve as Parliamentarian with the approval of the Governing Council. The duties of the Parliamentarian shall be to know parliamentary procedures. Term of office shall be for one year unless appointed again by the newly elected President.

Section 6. Registered Agent

To satisfy the requirements of the Texas Non-Profit Corporation Act, the Association designates the Executive Secretary-Treasurer as the registered agent. This amends the Articles of Incorporation of the Texas Association of Sanitarians, Austin, Texas filed in the office of the Secretary of State, May 28, 1956.

Article VI—Meetings

Section 1. Meetings of the Association shall be at a time and place designated by the Governing Council.

Section 2. A quorum shall be considered as a majority of the members of the Association either present in person or by written proxy certified by the Executive Secretary-Treasurer.

Section 3. Meetings of the local chapters shall be held at regular intervals to be decided by the Local chapters.

Article VII—Order of Business

In all regular called business meetings, Robert's Rules of Order, Revised, shall prevail.

Article VIII—Amendments

Section 1. This Constitution may be amended by a two-thirds vote of the members of the Association present and voting at an annual meeting and including those absentee ballots submitted by mail, provided that the membership of the Association has been notified in writing of the specific amendment not less than 30 days prior to the meeting, and provided further that the amendment has received the approval of the Governing Council.

Section 2. On items considered to be routine and non-controversial, such as change of address, this Constitution may be amended by two-thirds vote of Governing Council Members attending any Governing Council Meeting.

Article IX—Effective Date

This revised Constitution shall take effect on the date of the Annual Meeting that these revisions are adopted.

By-Laws

Article I—Membership

There shall be six classes of membership, namely:

Active Members: Those members actively engaged in the work of a Sanitarian, Environmental Health Professional, or professionals in other public health related fields.

Associate-Industry: Members actively engaged in Environmental Health work in the private sector.

Honorary Life Member: Upon approval of the Awards Committee and Governing Council, Honorary Life Membership may be awarded retired members who have been active in the Association for a period of 10 years or more or active members who have performed the meritorious service and outstanding work in the field of Environmental Health. This membership will entitle them to full voting rights without further payment of annual dues.

Life Member: A member who has a membership of at least 5 years with the Association and who has filed an application and paid a fee of \$300.00, and has been approved by the Governing Council for such a membership.

Fellow: Active or Associate members who are in good standing for five continuous years with a recognized professional status, and qualified according to procedures prescribed by the Governing Council. Additional dues paid by this class are used to support keynote speakers at the Annual Education Conference.

Student: Members who are enrolled full-time in a college or university and participate in a curriculum relating to environmental health, or other health professional.

Article II—Dues

Section 1. Active Member dues shall be \$30.00 per year payable in advance, \$10.00 of which shall be returned to the local chapter.

Section 2. Associate-Industry Member dues shall be \$50.00 per year payable in advance, \$30.00 of which shall be returned to the local chapter.

Section 3. Honorary Life Member shall have no dues.

Section 4. Life Member dues shall be a one-time fee of \$300.00. Chapter dues for Life Members shall be determined by each local chapter.

Section 5. Fellow Member dues shall be \$10.00 additional per year.

Section 6. Student Member dues shall be \$20.00 per year, \$10.00 of which shall be returned to the local chapter.

Article III—Fiscal Year

The fiscal year of the Association shall extend from January 1st to December 31st of each year.

Article IV—Proxy

Section 1. In the event any member of the Association is unable to attend a regular or called meeting of the Association, s/he may authorize any member of the Association to act in his or her behalf, provided the authority is in writing and is verified by the Executive Secretary-Treasurer.

Section 2. Governing Council: In the event a Councilor is unable to attend a regular or called meeting of the Council in person, s/he may authorize any member of the Association to act on their behalf, provided the authority is in writing and provided the named member is not at the time a Councilor. This authority must be verified by the Executive Secretary-Treasurer.

Article V—Finances

Section 1. Receipts shall be given on all remittances to the Association and the funds shall be deposited to the account of the Executive Secretary-Treasurer or the respective local chapter. The Executive Secretary-Treasurer and local chapter treasurers shall collectively be bonded for not less than Twenty Five Thousand Dollars (\$25,000). The Executive Secretary-Treasurer shall notify the bonding company when members holding local chapter treasurer positions change. The Executive Secretary-Treasurer is to be custodian of all records, funds, and investments of the Association, and shall disburse funds by check, in accordance with authorized voucher. Each withdrawal check or payment voucher shall contain the signature of the Executive Secretary-Treasurer. In the case of the absence of the Executive Secretary-Treasurer, not less than two signatures of duly elected officers shall be required.

Section 2. The financial records of the Association shall be audited at least once per year, before newly elected officers assume their terms of office, by a professional accounting firm.

Section 3. A Financial Statement of the Association will be provided to each member at the end of each fiscal year or during the first quarter of the new fiscal year. An annual budget shall be prepared by the Executive Secretary-Treasurer and shall be approved by the Governing Council no later than the last meeting of the year proceeding the new fiscal year.

Section 4. No part of the net earnings of this organization shall be distributed to the benefit of any member or officer of this organization, contributor or private individual. In the event of dissolution, liquidation or termination of the organization, net assets will be distributed to non-profit organizations by the U.S. Internal Revenue Service and which have as their aims a purpose similar to this organization.

Article VI—Meetings

There shall be one annual meeting and three Governing Council Meetings of the Association each year. These meetings shall take place at a time and place to be designated by the Governing Council. Special meetings of the Association may be called by the President of the Association when deemed necessary.

Article VII—Local Chapters

Local chapters of the Association will be authorized by the Governing Council. Requirements for establishing a local chapter are as follows:

- (1) To submit a request signed by at least 25 persons who are members of the Association.
- (2) All activities of the local chapters shall be conducted with due regard to the objectives as set out in Article II of the Constitution.
- (3) As part of the Texas Environmental Health Association, Local Chapters must comply with the provisions of the Constitutions, By-Laws, and all policies adopted by the Governing Council of the Texas Environmental Health Association.
- (4) Local chapters may have as many meetings as desired, but no less than two per year.

Section 1. The Governing Council for the Chapter shall consist of a President, President-Elect, First-Vice President, Secretary-Treasurer, and up to a maximum of six members elected from the membership by means of a ballot as outlined in the By-Laws of the Association. If the chapter elects, the position of Secretary-Treasurer may be divided into two positions Secretary and Treasurer.

(A) Term of office is one year. All officers will take office immediately following the annual meeting and shall serve through the end of the next annual meeting.

(B) The order of advancement shall be from First Vice-President, to President-Elect, to President, and then to Past President. Each Officer shall advance one step. After the First Vice-President completes one-year term in office, they automatically proceed through the officers' ranks annually, unless defeated during the process by another candidate.

(C) No member may serve more than two consecutive terms on the Local Chapter Governing Council.

(D) The office of Secretary-Treasurer or offices of Secretary and Treasurer shall be filled by appointment of the Local Chapter Governing Council. The position of Secretary-Treasurer or positions of Secretary and Treasure are non-voting positions.

(E) In the event of a vacancy in any elected offices during the year, the vacancy will be filled by appointment of the Local Chapter Governing Council. In the event that the Local Chapter Governing Council positions are also vacant, the Governing Council of the Association may appoint officers until such time as an election may be held.

(F) In the event of a vacancy in the office of President, President-Elect or First Vice President, the vacancy shall be filled by the officer immediately below the vacant office. All subordinate officers shall advance one step.

(G) In the event that the Local Chapter President fails to attend in person or by proxy at least two of the three Governing Council Meetings of the Association each year, the office will be considered vacant. The vacancy shall be filled in accordance with Subsection (F).

(H) In the event that any of the Local Chapter Officers or Governing Councilors fails to attend in person or by proxy at least two of the Local Chapter Governing Council Meetings each year, the office will be considered vacant. The vacancy will be filled in accordance with Section (E).

Section 2. Official ballots with signature of member will be counted. Unsigned ballots will not be counted. Signed ballots with clear indication of choice of candidate will be counted. If a candidate is not selected a vote is not counted for that office. The candidate receiving the largest number of votes for each office shall be duly elected officers for the Chapter for the ensuing year. All officers will take office immediately following the annual meeting and shall serve through the end of the next meeting.

Section 3. In the event of a tied vote, meaning each candidate received the same number of votes; a run-off election will be held in accordance with Section 2 of this Article.

Section 4. Meetings of the local chapters shall be held at regular intervals decided by the local chapters. In all regular and called business meetings, Robert's Rules of Order, Revised shall prevail.

Section 5. Members not in good standing shall not be entitled to vote, hold office or enjoy the privileges of membership. Discontinuance of Membership will be in accordance with Article IX of the By-Laws.

Article VIII—Committees

Section 1. There shall be eight standing committees of the Association, as follows:

(A) **Committee on Professional Education:** The members shall include the President-Elect and not less than four members.

(B) **Committee on Programs:** The members shall include the First Vice-President and not less than four members.

(C) **Committee on Legislation and Guidance:** The members shall include the Second Vice-President, the Association Legal Consultant (if appointed by the Governing Council) and not less than four members.

(D) **Committee on Membership:** The members shall include the Second Vice-President as Chair and the six elected Councilors.

(E) **Committee on Awards:** The members shall include the Executive Secretary-Treasurer as Chair and the Presidents of each local chapter.

(F) **Nominations Committee:** The members shall include Past President as chair, and one representative from each local chapter who are members.

(H)(G) **Committee on I.E. Scott Award:** The members shall include the President-Elect, the First Vice-President, and the Second Vice President. **Committee on Site Selection:** The members shall include the Executive Secretary as Chair, the immediate Past-President, and the President-Elect, and an additional two (2) appointees

Section 2. Each additional committee shall consist of at least three members appointed by the Governing Council.

Section 3. Specific duties of each of the standing committees will be set forth by the Governing Council.

Section 4. Each committee shall elect from its own membership such officers, as it may require for the conduct of its business.

Section 5. Unless otherwise provided in the By-Laws, all other Association committees shall be authorized and appointed by the Governing Council and the appointments of their members shall expire at the next annual meeting, unless the committee is dissolved prior to this time by action of the Governing Council. If, in the judgment of the President it becomes necessary to appoint a committee at a time when it is impossible to obtain authorization of the Governing Council, the President shall be empowered to appoint such a committee. This committee will serve until the next meeting of the Governing Council, at which time the Governing Council will approve the continuance or dissolution of such committee.

Article IX—Discontinuance of Membership

Section 1. Members not in good standing shall not be entitled to vote, hold office or enjoy other privileges of membership. . The names of members whose dues remain unpaid for 30 days after December 31st each year shall be removed from the rolls of the Association. Members whose names have been removed from the rolls may again be admitted by the process as outlined for new members.

Section 2. If, in the opinion of the Governing Council, any member of the Association permits the use of their name, or otherwise allows him/herself to be quoted or used for illustration in the advertisement of a commercial product, in such a manner as to reflect discredit upon the Association, his or her membership in the Association shall thereupon be terminated.

Section 3. Upon the recommendation of a committee appointed by the Governing Council, the Governing Council may discontinue the membership or affiliation of any member. Three-fourths of the votes cast shall be necessary for such action.

Article X Election of Officer

Section 1. The Nominations Committee shall present to the Governing Council, not less than ninety (90) days prior to the annual meeting, the names of at least two candidates for the office of Second Vice-President from the members of the Association. The Governing Council, upon receipt of the names shall instruct the Executive Secretary-Treasurer to put the names on the official ballot and mail to all members at least 30 prior to the annual meeting of the Association.

Section 2. Official ballots with signature of member will be counted. Unsigned ballots will not be counted. Signed ballots with clear indication of choice of candidate will be counted. If a candidate is not selected a vote is not counted for that office. The candidate receiving the largest number of votes for each office either by mail or at the annual meeting shall be duly elected officers for the Association for the ensuing year. In the case of a tie vote, the winner shall be determined by the majority of the Governing Council voting approval. All officers will take office immediately following the annual meeting and shall serve through the end of the next meeting.

Section 3. The order of advancement shall be from Second Vice-President to First Vice-President, to President-Elect, to President, and then to Past President. Each officer shall advance one step. After Second Vice-President completes a one year term in office, they automatically advance to First Vice-President and proceeds through the officers' ranks annually, unless defeated during the process by another candidate.

Section 4. In the event of a vacancy in the office of President, President-Elect, or First Vice-President, the vacancy shall be filled by the officer immediately below the vacated office. All subordinate officers shall advance one step.

Section 5. The office of the Executive Secretary-Treasurer shall be filled by appointment by the Governing Council.

Section 6. In the event that an officer fails to personally attend at least two of the three Governing Council Meetings of the Association each year, the office will be considered vacant. The vacancy shall be filled according to Section 4.0 of the Article.

Article XI—Election of Councilors

Section 1. The Nominations Committee shall present to the Governing Council, not less than ninety (90) days prior to the annual meeting, the names of at least four, not to exceed six, candidates from the members of the Association. The Governing Council, upon receipt of the names shall instruct the Executive Secretary-Treasurer to put the names on the official ballot with the names of the candidates for office and mail to all members at least 30 days prior to the annual meeting of the association, with instructions to vote for two candidates.

Section 2. The two candidates receiving the largest number of votes for membership on the Council shall be duly elected councilors for the ensuing three years. In case of a tie vote, the winner shall be determined by the majority of the Governing Council voting approval.

Section 3. In the event of a vacancy in any office of the Governing Council (except offices of President, President-Elect, First Vice-President, and Second Vice-President) this may be filled for the remainder of the term of office by appointment by the Governing Council with a majority of the Council voting favorable.

Section 4. In the event that a Governing Councilor fails to attend in person or by proxy at least two of the three Governing Council Meetings of the Association each year, the office will be considered vacant. The vacancy shall be filled according to Section 3, of the Article.

Article XII—Amendments

These By-Laws may be amended by a two-thirds vote of those present and voting on the Governing Council during the annual meeting, provided that twenty-four hours prior written notice thereof has been given. The By-Laws may further be amended by a two-thirds vote of those present and voting at any meeting of the Governing Council called for the purpose, provided that notice thereof shall have been given at least fifteen days prior to such meeting.

Article XIII—N.E.H.A. Affiliation

The Texas Environmental Health Association is an affiliate association of the National Environmental Health Association and the President and President-Elect of the Texas Environmental Health Association must be a current member of the National Environmental Health Association.

Article XIV—Benefits

Any benefit programs that the Association might actively engage which is beneficial to its membership shall be considered by the Governing Council.

Article XV—Awards

Section 1. I.E. Scott Award Each year, the winner of the I.E. Scott Award will be submitted as an entry for the Walter S. Mangold Award given by the National Environmental Health Association. The committee selecting the I.E. Scott winner will be responsible for the preparation and entry to the Walter S. Mangold Award Committee. Any award of honorarium or expenses for the I.E. Scott winner shall be approved by the Governing Council. In addition, the winner of the I.E. Scott Award shall also be nominated for Meritorious Service Award given by the National Environmental Health Association.

Section 2. Thomas E. (Tom) Edmonson Meritorious Award Each year, Chapter Presidents may present to the Committee on Awards, one nomination for the Thomas E. (Tom) Edmonson Meritorious Award to recognize an individual for a career of outstanding service to the Texas Environmental Health Association. Criteria shall be established by the Committee on Awards and shall require that the candidate be a current member of the association. Candidates not selected may also be considered for other Meritorious Services Awards outlined in Section 3 of this Article. The Local Chapter whose candidate is selected shall also be responsible for the preparation and entry for the Walter F. Snyder Award given by the National Environmental Health Association.

Section 3. Meritorious Service Awards Each year, Chapter Presidents may present to the Committee on Awards, one nominee from their respective area for consideration. No nominations will be accepted after the deadline. Further, the Committee is authorized to present additional awards at large as it deems necessary.

Section 4. Deadline All applications for award listed in the Article shall be received by the Chair (Executive Secretary-Treasurer) at least 90 days prior to the Annual Education Conference at which time the awards shall be presented.

Article XVI—Affiliates

Section 1. Affiliate Association shall be restricted to any organization classified in any of the following categories: (1) the organization promotes Public Health; (2) the organization promotes Environmental Health; and (3) the organization is non-profit.

Section 2. A written petition must be submitted to the Governing Council requesting affiliation with the Association.

Section 3. A copy of the organization's Constitution and By-Laws must be filed with the petition.

Section 4. A committee appointed by the President of the Association shall review the petition and research the organization.

Section 5. The committee shall submit its report to the Governing Council.

Section 6. Upon approval by the Governing Council, the organization shall be allowed affiliation with the Association, and may place on its stationary or any other materials deemed appropriate by the Association, the insignia of the Association.

Article XVII—Publications

Section 1. *Beacon* shall be the official publication of the Association.

Section 2. The Association may with the approval of the Governing Council publish any such additional publication, as it deems necessary.

Article XVIII—Registered Address

To satisfy the requirements of the Texas Non-Profit Corporation Act, the Association designates, P.O. Box 10, Leesburg, Texas 75451-0010 as the registered address of the Association.

Article XIX—Official Position

The Governing Council is responsible for promulgating the official views of the Association.

Any position must be consistent with the official objectives outlined in Article II of the Constitution.

Any official position of the Association on any matter must be voted upon by the Governing Council and/or membership. No member or members may represent a specific viewpoint on any matter as the official Governing Council position statement, or supported by vote of the membership.

Article XX—Effective Date

These revised By-Laws shall take effect 30 days following the adoption of the revisions for all matters herein, unless specified otherwise.

These revised By-Laws shall take effect September 11, 2004.

(Amended March 17, 1991)

(Amended June 22, 1994)

(Amended March 31, 1996)

(Amended January 1, 1998)

(Amended April 18, 1999)

(Amended January 12, 2002)

(Amended September 7, 2002)

(Amended January 11, 2003)

(Amended September 11, 2004)