

<b>NEVADA ASSOCIATION OF LAND SURVEYORS</b>	<b>GUIDELINES</b>
<b>CBL§§ 13.1 CONSTITUTION &amp; BYLAWS</b>	<b>PAGE 1 OF 5</b>
<b>COMMITTEE • DUTIES</b>	<b>REVISION NO. "0"</b>
	<b>RE-APPROVED: 07/28/06</b>

**1.00 PURPOSE**

The purpose of this Guideline is to outline the duties and responsibilities of the Constitution and Bylaws Committee (Committee).

**2.00 REFERENCES**

- 2.01 The latest edition of the Robert's Rules of Order published by the Robert's Rules Association or its successor.
- 2.02 The initial 1973 Constitution and Bylaw of the Nevada Association of Land Surveyors and the Amendments of 1983, 1985, 1990, 1993, 1998, 2000 and 2004.
- 2.03 The Nevada Association of Land Surveyors "Board of Directors Manual of 1993."

**3.00 SCOPE**

The scope in itself is an index to the various sections of the guidelines, e.g.:

- 4.00 Brief History of the Association's Initial Constitution and Bylaws.
- 5.00 Glossary of Terms
- 6.00 Important Dates
- 7.00 Association Constitution and Bylaws Committee - Duties
- 8.00 Chapter Constitution and Bylaws Committee - Duties
- 9.00 Rule of Order
- 10.00 Standing Rules
- 11.00 Committee Reports
- 12.00 Budget
- 13.00 Approval of Guideline, CBL§§ 11.03

**4.00 BRIEF HISTORY OF THE ASSOCIATION'S INITIAL CONSTITUTION AND BYLAWS**

- 4.01 In October of 1972 , Walter L. Neitz, RLS of Reno, Nevada mailed a questionnaire to all the Registered Land Surveyors licensed in Nevada asking them if they were interested in forming a state association for Land Surveyors. Of 456 Registered Land Surveyors, on the roster of the Nevada State Board of Registered Professional Engineers Roster, 177 responded positively.
- 4.02 Formation Committee Meetings were held on April 5, 1973 in Reno for the Reno-Spark-Carson City area (Northern Section) and in Las Vegas for the Las Vegas, North Las Vegas, Boulder City and Henderson area (Southern Section). On April 28, 1973 the two groups met in Tonopah, NV at the Tonopah Club in the Pink Panther Room to finalize the formation of the Association and elect the Formation Committee Directors.
- 4.03 Although the Meeting Minutes of the Northern and Southern Section do not indicate who was responsible for the first draft of the Constitution and Bylaws (CBL), it can be safely assumed by inspection that the CBLs were modeled after the Robert's Rules of Order, 7<sup>TH</sup> Edition, 1970 Edition by the Robert's Rules Association or its predecessors. Articles I through IX are identical and even the language within those articles are the same with modifications made to fit the proposed new association's requirements.
- 4.04 As required by NRS 81.350 – 81.400 inclusively, the Articles of Incorporation were signed by the First Directors of the Association between October 16, 1973 and October 31, 1973 and submitted to the Secretary of State. On November 2, 1973, the Secretary of State, Wm. D. Swackhamer, certified "That the annexed is a full, true and correct transcript of the original Article of Incorporation of the Nevada Association of Land Surveyors as the same on file and recorded in this office."
- 4.05 On November 7, 1973, the original Formation Directors and others met in the Mispah Hotel in Tonopah Nevada and elected the officers of the newly incorporated Nevada Association of Land

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Surveyors. The 1974 Officers were: Gilbert D. Buck, President; Frank W. Gentry, Vice President; Dan Asikainen, Secretary; Walter L. Neitz, Treasurer and Maurice E. Lafferty, Sergeant-at-Arms, Director. Although no agenda is of record, the first item of business for the newly elected officers most certainly was the signing of the Association's Constitution and By Laws as required by 1949 Statutes of Nevada, Page 527 – Chapter 242 and later amendments. Said statutes [NRS 81.350 – NRS 81.400] were repealed in 1991 by Senate Bill 655; Statues of Nevada, Page 1256, Chapter 442.

**5.00 GLOSSARY OF TERMS**

These terms are defined in the latest edition of the Roberts's Rules of Order published by the Robert's Rules Association.

- 5.01 *Accept* – To receive with approval or satisfaction; to agree or adopt; to agree to carry out provisions, to keep and retain.
- 5.02 *Ad Hoc* – For the particular end or case at hand with out consideration for a wider application. For a complete definition of an Ad Hoc Committee, see Special Committee.
- 5.03 *Amend* – To improve. To change to the better by removing defects or faults. To change, correct, or revise.
- 5.04 *Approve*- To accept an officer's or committee's report or recommendation.
- 5.05 *Authorize* - To empower; to give the right or authority to act.
- 5.06 *Constitution* – It was formally a common practice to divide the basic rules of an organization into two documents, in order that one of them – the *constitution* – might be made more difficult to amend than the other, to which the name *bylaw* was applied. In organizations that have both a constitution and bylaw as separate documents, however, the constitution is the higher of the two bodies of rules.
- 5.07 *Constitution and Bylaws* – In ordinary cases, it is now a recommended practice that all of a society's rules of this kind be combined into a single instrument, usually called the "*bylaws*," although in some societies called the "*constitution*" – or the "*constitution and bylaws*," even though its one document.
- 5.08 *Ratification* – Approval by two-thirds of the membership of proposed amendment(s) to the Association's Constitution and Bylaws [CBL§§ 18.0].
- 5.09 *Recommend* – To present as worthy or acceptable; to endorse as fit or worthy of consideration.
- 5.10 *Rescind* - To annul or void or cancel. Particularly used when canceling or voiding a Standing Rule.
- 5.11 *Rules of Order* - The term *rules of order* refer to written rule rules of parliamentary procedures formerly adopted by the assembly or an organization. Such rules related to the ordinary transaction of business in meetings and the duties of the officers in that connection. The usual method by which and ordinary society now provides itself with suitable *rules of order* is therefore to include in its bylaws provision prescribing the current edition of a specific and generally accepted manual of parliamentary law shall be the organization's *parliamentary authority* and then to adopt only such *specific rules of order* as it find needed to supplement or modify rules contained in the manual.
- 5.12 *Special Committee* – A special committee is created to serve a particular purpose and goes out of business as soon as its business is done and its report given. Normally a special committee for a particular purpose is recreated by succeeding administrations.
- 5.13 *Standing Committee* – Is charged with the responsibility of a certain field of work which requires continuous services. A *Standing Committee* is created by special provisions in the bylaws or through the adoption of a motion or resolution. If standing committees are listed in the bylaws, it implies that there are no others – unless the bylaws provide a way of establishing additional standing committees.
- 5.14 *Standing Rule* – As understood in this book except in the case of conventions, are rules(1) which relate to the details of the administration of a society rather than parliamentary procedures, and (2) which can be adopted or changed upon the same conditions as any ordinary act of the society. A standing rule can be adopted or rescinded by a majority vote at any business meeting without previous notice.

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**6.00 IMPORTANT DATES**

The emphasis on revising articles and sections of the Constitution and Bylaws (CBL) usually comes from discussions between Board Members and actions by the Board during the previous fiscal year; although this may not always be the case. Regardless the CBL Committee needs a time schedule to write, submit the first draft, and final draft of the proposed amendments to the Board for their acceptance (*The Board accepts the recommendation of the CBL Committee that the proposed amendments be submit to the membership for ratification*)

- 6.01 The Association's Annual Meeting is scheduled in January as prescribed in CBL§§ 15.01, this can be considered the first quarterly meeting.
- 6.02 The second quarterly meeting is scheduled in March or April. The actual date is dependent upon the date of the NALS Conference or Joint Conferences with CLSA, WFPS or ACSM/NSPE.
- 6.03 The third quarterly meeting is scheduled for June or July in Elko.
- 5.04 The fourth quarterly meeting is usually scheduled for late September or early October.
- 6.05 Other than the Annual meeting in January the other dates are subject to changes by the Board of Directors.

**7.00 ASSOCIATION CONSTITUTION & BYLAWS COMMITTEE - DUTIES**

- 7.01 In accordance with CBL§§ 13.00, the Committee chairman must be an elected member of the Association's Board of Directors (Board). It's recommended that the other members of the committee be at least four former Association Officers.
- 7.02 Prior to formulating any revision to the Association's Constitution and Bylaws, it's recommended that Committee review the following state and parliamentary laws for compliance and the Association's Constitution and Bylaws and Standing Rules. Each of the following may be a source of a proposed revision(s).
  - (a) The Nevada Association of Land Surveyors' Articles of Incorporation date: November 2, 1973.
  - (b) NRS 81.410 to 81.480, specifically NRS 81.470 Bylaw: Adoption; amendments; effectiveness and NRS 81.480 Bylaws: Optional provisions.
  - (c) Chapter XVIII – Bylaw - in the latest edition of Robert's Rules of Order by the Robert's Rules Association or its successor.
  - (d) Association Constitution and Bylaws prior to the one being amended.
  - (e) Adopted Standing Rules.
  - (f) Any recommendations by Board made during the previous Fiscal Year.
- 7.03 Since time is of the essence for the Board, which meets quarterly unless a special meeting has been scheduled, the Committee Chairman shall:
  - (a) Distribute the above information to member of the committee for review.
  - (b) Submit the First Draft of the proposed revisions to the Board Members 30 days in advance of a scheduled quarterly meeting for review.
  - (c) Submit the Final Draft of the proposed revisions for review 30 days in advance of the last quarterly meeting of the Fiscal Year.
- 7.04 Since the Chapter receive its "Certificate of Charter" from the Association, CBL§§ 7.04, the Chapter is a sub unit of the Association and subject to its Bylaws. Therefore, the CBL Committee is responsible for reviewing any amendments/revisions to a Chapter's CBL and if they are not in compliance suggest revisions or if they are in compliance issue a "Letter of Compliance."

**8.00 CHAPTER CONSTITUTION & BYLAWS COMMITTEE – DUTIES**

Although the Chapter Officers may approve the proposed Chapter CBL revisions, the Chapter most submit the revision to the State CBL Committee for review and approval and receives from the Committee a "Letter of Compliance," prior to submitting the Bylaws to the Chapter membership for ratification.

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- 8.01 Chapter's Responsibilities – The Chapter Officers have the responsibility of notifying the Chairman of the Association's CBL Committee that the Chapter is working on the First Draft of the revision to its Bylaws:
- (a) Give the date that the First Draft is scheduled will be transmitted to the State CBL Committee for review.
  - (b) Give a projected date for approval by the Chapter Board for approval of the Final Draft.
  - (c) Request dates that the Associations' Committee may begin a review of the Final Draft, mail mandatory revisions and/or issue the formal "Letter of Compliance."

**9.00 RULES OF ORDER**

The Constitution and Bylaw of the Nevada Association of Land Surveyors prescribes in CBL§§ 15.02(a) – Amended 2004 – "The latest edition of Robert's Rules of Order as published by the Robert's Rules Association or its successor shall be adopted at the Annual Meeting and used for the Fiscal Year by the Association on all questions of parliamentary law, except as otherwise provided within these Bylaws."

**10.00 STANDING RULES**

As defined by Robert's Rules of Order, a Standing Rule(s) can be adopted by a majority vote at any business meeting and may be rescinded at any business meeting by a majority vote.

- 10.01 Since the Committee is assigned the duty of reviewing and revising the CBL's and the adopted Standing Rules, §7.02 (e), which are an essential part of that review, it is crucial that the Committee be involved in developing the Standing Rules tracking system for active rules (ones that have not been rescinded).
- 10.02 The following forms shall be developed by the committee:
- (a) Motions and Resolutions
  - (b) Standing Rules
  - (c) These rules should be compiled by and adopted at the Annual Meeting each year.

**11.00 COMMITTEE REPORTS**

11.01 All committee reports shall:

- (a) Be on 8 ½" x 11", 20 lb. weight plain white paper.
- (b) Have the following heading, centered, in bold letters:

**NEVADA ASSOCIATION OF LAND SURVEYORS**  
**BOARD OF DIRECTORS MEETING**  
**MONTH DAY, YEAR • PLACE, CITY, STATE**

- (c) The name of the Committee preceded by CBL Number and name followed by the reporter's name in parentheses, e.g.: **CBL 13.01 CONSTITUTION AND BYLAWS (Bernie Brown)**
  - (d) Attach all pertinent correspondence to the report in a chronological order and mention the same in the report chronologically.
  - (d) When writing an agency, firm or others as an official representative of the Association, use the Association's letter head.
- 11.02 The committee report shall not:
- (a) Be written on company letterhead or association letterhead.
  - (b) Be on the reverse side (double sided) or written on previous used paper with printing on the reverse side. When scanning or microfilming these records, the reverse side print may be a ghost in the back ground of the scanned or microfilmed page.

**12.00 BUDGET**

The Constitution and Bylaws Committee (Committee) shall receive prior to the Annual Meeting, as will other standing and special committees, a preliminary budget from the Fiscal Year Budget

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Committee chaired by the previous year's President-Elect. It is the duty of the Committee Chairman too:

- (a) Review the preliminary budget.
- (b) Adjust the budget for the anticipated new expenses or preliminary expenses not required.
- (c) Submit the adjusted budget to the Fiscal Year Budget Committee Chairman at the Annual Meeting.

**13.00 APPROVAL OF GUIDELINE**

This guideline, Revision "0" was approved by the Board of Directors on the 18 day of March, 2005 and duly noted in the official minutes.

This guideline, Revision "0" was re-approved by the Board of Directors on the 28 day of July, 2006 and duly noted in the official minutes.

	
Name: Micki J. Jefferson	Name: Mark D. Morberg
President 2006	Secretary 2006

**APPROVALS**

Revision No. 0 • Approved 03/18/05

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