




BY-LAWS AND PROCEDURES

I. Commission Members

- A. The membership of the Commission shall comply with Code of Alabama 36-32-2.
- B. No Commission member may delegate his representation to another party. Persons attending Commission meetings for the purpose of gaining information for an absent Commission member will be treated as any other guest.

II. Meetings

- A. All meetings of the Commission shall be open to the public, except when the discussion centers around the good name of an individual or person's qualifications then the meeting will be closed to all persons other than the Commission members and/or its staff and those individuals the Commission requests.
- B. Regular Meetings
 1. The Commission shall hold regular meetings on the third Wednesday of the first month of each quarter in the office of the Commission at 9:00 a.m. or at a location designated by the Chairman or Vice Chairman. Where unusual circumstances occur on that date, then the meeting shall be held on the following Wednesday of the same month.
 2. The Executive Director shall annually notify all fire fighting agencies and associations of the dates of the regular meetings for the upcoming year.
- C. Special Meetings
 1. The Executive Director, upon request of any Commission member, must poll all other Commission members by telephone or personal contact to see if they agree to the need for a special meeting. If three (3) or more agree, the Executive Director will so notify the Chairman who shall call the meeting. If the Chairman cannot be contacted, the Vice Chairman shall automatically assume the power to call the meeting. If both the Chairman and Vice Chairman are unavailable, the Executive Director shall assume the duty of calling the meeting.
 2. The Chairman or Vice Chairman may call a special meeting without polling the other members of the Commission.
 3. Special meetings shall comply with the Code of Alabama 36-32-4 and state laws on meetings.
 4. The presiding officer of a special meeting shall decide the order of business.

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- D. A meeting of the Commission is a meeting which, though it may last for several days, shall be considered one meeting. The intermediate recess from day to day, or recesses taken during the day do not destroy the continuity of the meeting which in reality constitutes one session.
- E. A meeting of the Commission shall be closed by moving "to adjourn."

III. Quorum

- A. To transact business, a quorum shall be a majority of the Commission members as designated in the Code of Alabama 36-32-4.
- B. The Quorum refers to the number of members present, not the number voting.

IV. Rules of Order

- A. In the absence of other authority, meetings of the Commission shall be governed by Atwood's Rules for Meetings.

V. Changes in By-Laws and Procedures.

- A. Amendments to the By-Laws and Procedures must be presented in writing 45 days in advance and shall require a majority vote. Such amendments shall be effective immediately upon passage.

VI. Order of Business

- A. The Commission shall conduct business in the following order:
1. Ascertain a quorum present
 2. Reading and adopting of minutes of the previous meeting
 3. Report of Executive Director
 4. Report of Attorney
 5. Unfinished Business
 6. New Business
 7. Business from Visitors
 8. Business from the Commission Members
- B. The minutes of the Commission are read only once a day at the beginning of the day's business.
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- C. At regular meetings of the Commission the Chairman shall have an agenda of the order of business provided by the Executive Director for the use of the Commission. If it is desired to transact business out of its normal order, it is necessary to suspend the rules, which can be done by a two-thirds vote of the members present.

VII. Voting

- A. Motions and issues in question will be decided by a majority of those members voting. A majority vote means in excess of 50%.
- B. Only Commission members present may vote on any issue. There shall be no vote by proxy.
- C. The presiding officer may vote only in the case of a tie vote on any issue.

VII. General Procedures for Meetings

- A. In debate each member of the Commission has the right to speak twice on the same question on the same day, but cannot make a second speech on the same question as long as any member who has not yet spoken on the question desires to speak. No one can speak longer than ten minutes at a time without permission of the Commission.
- B. Debate must be limited to the merits of the immediately pending question, that is, the last motion stated by the Chairman that is still pending.
- C. Any other interested person attending any Commission meeting has the right to present their views to the Commission and is governed by the same accepted rules and procedures. However, in order to exercise this right the interested person must submit a request that their item be added to the agenda. This request must be in writing, and it must be received by the Commission at least 45 days prior to the date of the Commission Meeting in which it is to be addressed. Additionally, the request must describe the need for addressing the subject, and it must also describe any request for action. Conforming request may be added to the agenda by the chairman, the vice chairman, or by any group of three commission members.
- D. To be excused from a duty: If a member is elected to office, appointed to a committee, or has any other duty placed on him and he is unable or unwilling to perform the duty, if present, he should decline it immediately and, if absent, he should, upon learning of the fact, at once notify the Chairman orally or in writing that he cannot accept the duty.

VIII. Officers and Their Terms of Office

- A. The election and employment of officers of the Commission shall comply with Code of Alabama 36-32-3.
 - B. A new election may be held to fill the unexpired term of any officer leaving office early.
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X. Duties of the Chairman

- A. The Chairman is expected to be familiar with parliamentary law. His Duties are generally as follows:
1. To open the session at the time at which the Commission is to meet by taking the chair and calling the members to order;
 2. To announce the business before the Commission in the order in which it is to be acted upon;
 3. To recognize members entitled to the floor;
 4. To state and to put to vote all questions which are regularly moved, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
 5. To protect the Commission from annoyance from evidently frivolous or dilatory motions by refusing to recognize them;
 6. To assist in the expediting of business in every way compatible with the rights of the members of the Commission by allowing brief remarks when undebatable motions are pending, if he thinks it advisable;
 7. To restrain the members when engaged in debate, within the rules of order;
 8. To enforce, on all occasions, the observance of order and decorum among the members of the Commission deciding all questions or order (subject to an appeal to the Commission by any two members), unless when in doubt he prefers to submit the question for decision of the Commission;
 9. To inform the Commission, when necessary, or when referred to for that purpose on a point of order or practice pertinent to pending business; and
 10. To authenticate, by his signature, when necessary, all the acts, orders and proceedings of the Commission declaring its will.
- B. During debate he should be seated and pay attention to the speaker, who is required to address his remarks to the Chairman. When a member has the floor, the Chairman cannot interrupt him so long as he does not transgress any of the rules of the Commission.
- C. The Chairman cannot close debate unless by order of the Commission which requires a majority vote; nor can he prevent the making of legitimate motions by hurrying through the proceedings. If members of the Commission are reasonably prompt in exercising their right to speak or make motion, the Chairman cannot prevent their doing so. If he has hurriedly taken and announced a vote while a member is addressing the chair preparatory to speaking, the vote is null and void, and the member must be recognized.
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On the other hand, the Chairman should not permit the object of a meeting to be defeated by a few factious persons using parliamentary form with the evident object of obstructing business

- D. If it is necessary for the Chairman to vacate the chair, the Vice Chairman will assume the chair.
- E. If the Chairman vacated the chair to talk on an issue, the Vice Chairman shall assume the chair and preside until the issue is dispensed with. In such cases that the Vice Chairman is absent, the Chairman may appoint a member of the Commission to preside over the issue.
- F. If the Chairman and Vice Chairman are absent from a meeting, the Executive Director shall preside to declare a quorum and the election of a temporary Chairman, who shall preside over that meeting only.

XI. Duties of the Vice Chairman

- A. It shall be the duty of the Vice Chairman to preside at all meetings in the absence of the Chairman and to perform the duties of the Chairman in his absence as required by the Commission By-Laws.

XII. Duties of the Executive Director

- A. It shall be the duty of the Executive Director to record the minutes of each meeting, serve as a custodian of all records except those specifically assigned to others; notifying members of called meetings and of other meetings when necessary; to conduct the correspondence of the Commission and to make out an agenda of the order of business for the use of the Chairman which lists in exact order matters that must come before the Commission.
- B. If both the Chairman and Vice Chairman are absent, the Director will assume the chair to declare a quorum and the election of a temporary chairman, who shall preside over that meeting only.
- C. The Executive Director is responsible for implementing the mandates of the Code of Alabama 36-32-1 which created the Commission. In the performance of his duties, he is accountable to the Commission. His actions are governed by state laws and regulations governing all state agencies regarding accountability for all expenditures (purchases, travel expenses, etc.), conduct, sick and annual leave regulations, acceptable office procedures, etc., and by any special directions of the Commission
- D. Some specific duties assigned to the Executive Director include, but are not limited to, the following:
 - 1. To draw up and implement a fire service specialty code training and certification system with Commission approval
 - a. To recommend the levels of training for certification
 - b. To recommend curricula and training standards for each level of training
 - c. To evaluate and approve the courses to be taught



- d. To monitor courses in progress whenever possible to insure quality and compliance with regulations
 - e. To draw up test and testing procedures; to see that tests are conducted and evaluated fairly and impartially
 - f. To certify trainees, at all approved levels of certification, upon their attainments of the requirements for that level.
2. To assist in the establishment of fire protection training facilities and to assist existing educational facilities in the development of training programs for fire service personnel and to recommend methods and techniques to be used in promoting fire training.
 - a. To evaluate schools, programs and facilities proposed and to make recommendations to the Commission concerning their acceptability.
 3. To provide information to fire departments throughout the state, and their governmental officials, to explain the purpose, objectives and procedures of and to encourage their participation in programs developed and offered by the Commission.
 4. To assist local governments in fire training programs and in the adoption of standards and policies recommended by the Commission.
 5. To direct the maintenance of Commission records, to prepare and administer the annual operating budget, to direct the preparation and distribution of public information material, and to prepare comprehensive reports of Commission activities for Commissioners and other state officials.
 6. To work toward locating and obtaining federal funds and/or additional state funds, the expenditure of which can be supervised by this Commission for fire service training, public education, fire prevention, research and development, or in any other way that would benefit the fire service and/or the public as it is affected by fire matters
 7. To attend and represent the Commission at all local, state and national fire service functions possible and, if requested, to accept committee assignments and speaking engagements, etc., at his discretion.
 8. To prepare and equip offices as completely as possible in order to give the best service possible to Commission members and the state fire service
 - a. To serve as a point of information for fire departments seeking current information on fire service trends, procedures, projects, etc. and other related information.
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9. To administer all affairs of his office in keeping with state laws, procedures and regulations.
 - a. To be responsible for hiring and dismissal of all technical assistants and support staff personnel.
 - b. To evaluate all director staff positions and make recommendations for employment by the Commission
10. To make recommendations to the Commission concerning priorities and time schedules for implementing the responsibilities outlined in Code of Alabama 36-32-1.
11. To perform other duties as may be required or assigned by the Commission or as may be prescribed elsewhere in the adopted By-Laws and Procedures.
12. To act promptly, using his own judgment on routine matters in matters clearly covered under his duties, Commission rules and procedures or state laws and regulations. If a questionable matter should arise, he should contact as many members as possible of the Commission for their recommendations

XIII. Committees of the Commission

- A. The Executive Director, with approval of the Commission, may appoint special committees for the purposes of aiding the Commission in the research and development of fire service training and standards.
 - B. The selection of members to a special committee shall be based on the individual's recognized expertise, ability to travel and willingness to work to develop professional standards and training.
 - C. The Chairman must be kept informed of the make-up, status and progress of special committees.
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