

BY-LAWS

These by-laws are adopted by Alabama Firefighters' Personnel Standards and Education Commission pursuant to *Alabama Code § 36-32-3 2(c)*.

I. THE COMMISSION

- A. The membership of the Commission is established in *Alabama Code*.
- B. The Commission shall have a Chairman and Vice-Chairman, as established by the *Alabama Code*. The Chairman shall chair meetings of the Commission.

The Chairman shall, at the Chairman's discretion, designate committees of the Commission. Committees must have at least three commissioners as members. The Chairman shall have the power to appoint or remove committee members. The Chairman shall identify the subject for which the committee is established and the committee shall not examine issues not reasonably related to the committee's assigned subject.

The Vice-Chairman shall assume the duties of the Chairman in the absence of the Chairman.

- C. Elections for Chairman and Vice-Chairman shall be held in accordance with the *Alabama Code § 36-32-3*.

II. MEETINGS

- A. All meetings of the Commission and all Commission committee meetings are public meetings to be held in compliance with the *Alabama Code*.
- B. 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. Where unusual circumstances occur on that date, then the meeting shall be held ~~on the following Wednesday of the same month~~ as soon as the meeting can be reasonably scheduled.

Special meetings shall be called in accordance with *Alabama Code § 36-32-4*.

- C. 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 any recess taken during the day, does not destroy the continuity of the meeting which in reality constitutes one session.

III. RULES FOR MEETINGS

- A. Where the law or these bylaws do ~~does~~ not provide otherwise, the meetings of the Commission shall be governed by Robert's Rules of Order, current revision, with the chair retaining a vote in all proceedings.
- B. To transact business, a quorum shall be a majority of the Commission as designated by *Alabama Code § 36-32-4.*
- C. ~~Four~~ Five affirmative votes of the Commission shall be necessary for: any hiring or termination or pay of any person covered by *Alabama Code § 36-32- 3(b)(1), (2), and (3);* any change in the Alabama Administrative Code; or any adoption or change in Commission policy.
- D. The Chairman, with the assistance of the Executive Director, shall prepare a proposed agenda for each Commission meeting to be posted seven days prior to a meeting, in accordance with *Alabama Code* Title 36, Chapter 25A.
- E. To allow the preparation of a meeting agenda, proposed original main motions must be pre-filed by delivery to the Chairman or his designee eight days before any meeting, except as discussed below. Any such proposed motion may be amended at said meeting. Pre-filed motions must be included on the agenda of said meeting.

Committees of the Commission have been created to expedite the business conducted at the regular meetings of the Commission. Since the Commission is a state-wide body, and since committee meetings are often held, to reduce expenses and for the convenience of the commissioners, the day before the meetings of the Commission, motions presented by committees are not required to be pre-filed, provided the motion presented by the committee was recommended by the committee in a public meeting conducted in accordance with the *Alabama Code* Title 36, Chapter 25A.

Recognizing that certain issues may arise unexpectedly, and further recognizing that the Commission meets regularly once a quarter, with ~~four~~ five affirmative votes, original main motions that are not pre-filed may be made in any Commission meeting.

- F. Members of the public may make a request to the Chairman or his designee to be placed on the agenda for the discussion of any matter. To allow preparation of a meeting agenda, such request must be made in writing eight days prior to the meeting. The written request must describe the need for addressing the subject and it must also describe any request for action. This rule does not prohibit any member of the public from

making comments to the Commission at the appropriate time of any Commission meeting. However, failure to provide the eight day notice with the information described above may mean the Commission will not take action on the member of the public's request.

IV. THE EXECUTIVE DIRECTOR

- A. As established by law, there shall be an Executive Director.
- B. 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; to notify members of called meetings, committee meetings, and of other meetings when necessary; to conduct the correspondence of the Commission and to assist the Chairman in preparing an agenda of the order of business for each meeting of the Commission which lists in exact order matters that must come before the Commission.
- C. If, at a meeting of the Commission, 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.
- D. The Executive Director is responsible for implementing the mandates of the *Code of Alabama* Title 36, Chapter 32, 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.

V. AMENDMENTS

- A. Amendments to these By-Laws must be presented in writing forty-five days in advance of the Commission meeting where such amendments shall be considered. Amendments shall require ~~five~~ six affirmative votes to pass. An amendment shall be effective immediately upon passage or as stated in the amendment.