

MISSISSIPPI STATE TROOPERS' ASSOCIATION

BY-LAWS

PREAMBLE

We, the sworn officers of the Department of Public Safety, State of Mississippi, in order to be mutually helpful to one another in an effort to provide better statewide police services to the people of Mississippi, to coordinate with the Commissioner of Public Safety and the Chief of the Mississippi Highway Safety Patrol on plans to promote a higher degree of professionalism and morale within the Department and to upgrade employee benefits, do hereby adopt these Bylaws and establish the Mississippi State Troopers' Association.

ARTICLE I

Name and Location

This organization shall be known as the Mississippi State Troopers' Association, Inc., hereinafter referred to as MSTA. Its office and meeting place shall be in the State of Mississippi.

ARTICLE II

Purpose

The goals of MSTA are as follows:

1. To advance the principles of proper law enforcement and to protect the community and rights of all citizens of the State of Mississippi.
2. To support in every way the continuing betterment of criminal and civil justice in the State of Mississippi and the United States of America.
3. To actively support legislation that betters law enforcement and to provide information to the membership of the legislature that relates thereto or that affects them as members.
4. To actively represent, as an Association, the good of the membership hereof in legislation or in opposition to legislation, or in any other matter directly affecting the membership when directed to do so by a vote of the Board of Directors.
5. To remember at all times that we are arresting officers with the sworn duty to enforce the law under all circumstances and that we shall never strike, form picket lines, threaten strike or by any concerted action cause or attempt to cause, directly or indirectly, a cessation of police duties anywhere. This Association shall not have any affiliation, directly or indirectly, with any labor union, either actively or passively, at any time. It is not the purpose of this Association to set policy or procedure within the Department of Public Safety/Mississippi Highway Safety Patrol as that responsibility lies with the Commissioner of Public Safety, the Governor of the State of Mississippi, and the executive branch of our state government. This will not prohibit the President and Board of Directors of MSTA from any discussion with the Commissioner of Public Safety on any matters concerning the Association.

ARTICLE III

Membership

Section 1. Classes of Membership - There are three classes of membership in this Association, namely: Active Member, Lifetime Member and Honorary Member. These classes are described in following sections.

Section 2. Active Member - An active member is defined as a member who is presently employed as a sworn officer of the Department of Public Safety/Mississippi Highway Safety Patrol and that has requested and been granted membership in the Mississippi State Troopers Association.

Section 3. - Lifetime Member A lifetime member is defined as a member who is no longer employed as a sworn officer of the Department of Public Safety/Mississippi Highway Safety Patrol and who retired from the agency with honor or in good standing. Such person may become a life member by submitting an application to the board along with a recommendation by a representative or officer of the board and a one-time payment of twenty dollars (\$20.00). This payment maintains his or her membership for life. Acceptance of the application for lifetime membership requires a two-thirds (2/3) vote of approval by the Board of Directors. Acceptance or denial is based strictly on the vote of the board with no appeal.

Section 4. - Honorary Member An honorary member of this Association is defined as a member who has been voted by the Board of Directors to honorary membership as a result of significant service to the Association or as a special notice of the high regard felt by the Association towards the member. Designation as an honorary members requires a two-thirds (2/3) vote of approval of the application by the Board of Directors.

Section 5. - Definition of Sworn Officer A sworn officer of the Department of Public Safety/Mississippi Highway Safety Patrol or any arresting officer of the Department of Public Safety/Mississippi Highway Safety Patrol that has requested and been granted membership in the Mississippi State Troopers Association is considered an active member. "Any sworn officer or any arresting officer of the Department of Public Safety/Mississippi Highway Safety Patrol" shall mean and refer to a Mississippi Highway Safety Patrol State Trooper who has completed the Mississippi Highway Safety Patrol Cadet School and has taken the oath of office as a Mississippi State Trooper.

Section 6. - Eligibility Period A petitioner for active membership has (6), six months after eligibility date to make application for membership before application fee will be applied. The date sworn in as a Mississippi State Trooper will become the date of eligibility.

Section 7. Suspension for Non-Payment of Dues Any member of this Association who is not current in his dues shall be suspended from membership, provided that said member is over sixty (60) days in arrears. No action of the Association is necessary, and the Secretary-Treasurer will notify said member, in writing, of the suspension.

Section 8. - Censure, Suspension or Expulsion Any member who fails to adhere to the conditions of membership as provided in the By-laws of this Association or brings dishonor on this Association or the profession of law enforcement shall be subject to censure, suspension or expulsion upon the action of the Board of Directors provided the member shall have been given five (5) days notice and allowed the opportunity of appearing before the Board. Expulsion from the Association will require a two-thirds (2/3) vote of the Board of Directors.

Section 9. - Eligibility to Hold Office The right to vote and hold office shall be limited to active members current in their dues payments and otherwise in good standing.

ARTICLE IV Board of Directors

Section 1. - Powers and Duties, Meetings The direction and management of the affairs of MSTTA shall be vested in the Board of Directors. They shall meet at the discretion of the President, but not less than once each three (3) months. The Board of Directors shall have the authority to remove from office any officer who fails to perform the duties of his office, provided that the officer concerned

has been notified in writing and has been given the opportunity to appear before the Board of Directors. A three-fourths ($\frac{3}{4}$) majority vote of the Board of Directors shall be required to remove an officer.

Section 2. - Quorum A majority of the Board of Directors shall constitute a quorum.

Section 3. - Composition of Board of Directors, Vote This Association shall consist of eleven (11) representatives - one (1) representative elected from each troop, one (1) representative from the Department of Public Safety/Mississippi Highway Patrol Headquarters Complex/Training Academy, and one (1) from the retired Troopers. These said representatives of this Association shall constitute the Board of Directors, and each representative shall have one vote at the board meetings. If the elected representative cannot attend a meeting, the representative shall select another active member to attend in his place with the same rights to voice and vote.

Section 4. - Election and Representation, Term of Office A representative must be an active member, or, in the case of the representative of the retired Troopers, who shall be a lifetime member in good standing, and will be elected from all members that reside within the geographical boundaries of each District/Troop, the DPS/MHP Headquarters Complex/Training Academy and the retired Troopers. The representative for the DPS/MHP Headquarters Complex/Training Academy will represent all members assigned to the DPS/MHP Headquarters Complex/Training Academy including the Mississippi Bureau of Investigations, Governor's Security, Bureau of Narcotics and Training Academy. Members of the Mississippi Bureau of Investigations, Driver Services, Governor's Security, and Bureau of Narcotics assigned to Troop areas will be represented by that Troop representative. The representative shall be elected by a majority vote of the active members of that District/Troop, DPS/MHP Headquarters Complex or Retired Troopers. The term of office shall be for two (2) years.

Section 5. - Requirements for Election, Election Years At least fifty-one percent (51) of the active members of that respective troop, bureau, or division shall be present for an election to be held. Representatives from Troops C, E, G, J, and M, and retired troopers will be elected in odd numbered years. Representatives from Troops D, F, H, K, and DPS/MHP Headquarters Complex/Training Academy will be elected in even numbered years. Each troop, bureau, or division will elect a representative and will notify the Secretary-Treasurer immediately.

Section 6. - Dissatisfaction With Representation In the event five (5) or more members of a troop, DPS/MHP Headquarters Complex/Training Academy, and retired Troopers are dissatisfied with the performance of their respective representative, they may submit a sufficient letter of cause with the names of the five (5) members to the President of the Association requesting a vote of confidence for that representative. The President will call a vote of that troop at the earliest possible date. In the event the representative is not given a majority vote of confidence, an election will be held immediately to fill the vacated post. At least three-fourths ($\frac{3}{4}$) of the MSTA members of that troop must participate in the vote of confidence.

Section 7. - Submit Association Accounts to a CPA The Board of Directors may order the Secretary-Treasurer, at the end of the fiscal year, to submit the books of the Association to a certified public accountant of its choice for audit of such books.

Section 8. - Bond The Board of Directors may require a bond for the President and Secretary-Treasurer.

Section 9. - Reporting to Membership The representative shall be responsible for reporting to the membership in his respective area. He shall report to the Board of Directors the desires of the membership of this respective area.

Section 10. - Board May Waive Dues The MSTA Board of Directors shall be authorized to waive or to pay the dues of MSTA members who have been placed on Active Duty as a member of the United States Armed Forces who are on leave from the Mississippi Highway Patrol. However, those members who have voluntarily taken leave to join a branch of the Armed Forces shall be required to maintain dues for membership eligibility.

Section 11. - Procedures Manual and Adoption of Procedures The Board of Directors will produce and keep current a Procedures Manual for the Association that will be maintained by the Office Manager and will be kept on file and available to the membership during reasonable business hours. The procedures will be submitted to the Board of Directors for approval before implementing and each procedure will be certified as passed and accepted by the Board of Directors both on the face of the procedure and in the minutes of the Board of Directors. Procedures governing the duties and operation of the Financial Assistance Committee, the Legal Aid Committee and the Scholarship Committee will be approved by the Board of Directors and will be kept on file in the MSTA office in the official Procedures Manual.

ARTICLE V

Officers

Section 1. - Officers of the Organization The officers of this organization shall consist of a President, Vice President, and a Secretary-Treasurer. Nominations for these offices will come from the active sworn officers of the Mississippi Highway Safety Patrol who are members of the Mississippi State Troopers Association.

Section 2. - Qualification and Attendance All candidates for an office within this Association shall be an active member. Any elected officer who fails to maintain dues or misses three (3) consecutive meetings will have the status of the office reviewed by the Board of Directors. The Board of Directors has the discretion to consider the circumstances of the officer's absence and may determine: **a)** that the office shall be vacated and an election held, **b)** to appoint an interim person to fulfill the functions of the office, or **c)** such other solution as may be appropriate to the circumstances.

Section 3. - Nomination of Officers The officers of the President, Vice President, and Secretary-Treasurer shall be elected by the general membership. Nominations for these positions will be filed in writing with the representative from that member's respective troop or bureau, and will be filed by the representative with the Secretary-Treasurer at least thirty (30) days prior to the election of the offices which is to be held on April 15. This nomination shall include five (5) additional signatures of active members in addition to the nominating member. Any nomination received by the Secretary-Treasurer less than thirty (30) days prior to the election will not be considered.

Section 4. - Election Winner In declaring a winner by popular votes for the offices of President, Vice President and Secretary/Treasurer must receive fifty percent (50%) plus one (1) vote of the votes submitted in said election.

Section 5. - Vacancies Filled by Board of Directors Vacancies in the offices of Vice President or Secretary-Treasurer will be filled by majority vote of the Board of Directors. A representative to fill

any unexpired term in that position will be elected by members of the respective troop or Headquarters area.

Section 6. - Replacing Board Members Elected to Other Office If the elected President, Vice President, or Secretary-Treasurer of this Association is a current board member, an election will be held within thirty (30) days to replace him as representative in his area.

Section 7. - Term of Office The term of office for President, Vice President, Secretary-Treasurer, or representative will be for two (2) years. The term of office will begin on July 1 and end on June 30.

Section 8. - Per Diem and Mileage Reimbursement A per diem and mileage reimbursement is available for Board Members for their attendance at meetings while not on duty. The requirements for the paying of per diem and mileage reimbursement will be determined by the Board of Directors and will be based on the per diem and mileage reimbursement paid by the Department of Public Safety rules.

Section 9. - Term Limits for President The President of the MSTA shall be limited to serve no more than two consecutive terms in Office.

President

Section 10. - Powers and Duties The President shall be the Chief Executive Officer of the MSTA, and shall have such powers and duties as prescribed in these Bylaws, or that may subsequently be conferred upon him by the Board of Directors. The President shall preside over all meetings of the MSTA, including meetings of the Board of Directors, and the Annual Meeting, and shall represent the MSTA at formal, as well as informal gatherings. He shall have the responsibility of administrating the business of the MSTA and shall insure that all orders and resolutions of the Board of Directors are put into effect. The President shall have the authority to speak on behalf of the MSTA between regular meetings, th the consent of the Board of Directors.

Section 11. - Execute Contracts The President shall execute any and all contracts that may be authorized by the Board of Directors or the general membership.

Section 12. - Make Committee Appointments The President shall make the majority of committee appointments as necessary for the proper government of the MSTA, which are not covered by these By-Laws; with the advice of the other Officers. The President shall serve on all committees *ex-officio*; and attend in an *ex-officio* capacity the meetings of the Board of Directors, only casting his vote in the case of a tie.

Section 13. - Convey Unfinished Business to Successor The President shall convey to his successor all unfinished business of the Association, in a timely manner.

Vice President

Section 14. - Powers and Duties The Vice-President shall be the assistant to the President in all matters, and shall be kept informed of all administrative business. The Vice-President shall preside over all meetings of the MSTA in the absence of the President, and shall be empowered to conduct all necessary business of the MSTA in the event that a vacancy exists in the office of the President, or upon disability of the President.

Section 15. - Make Committee Appointments The Vice-President shall make the minority of committee appointments as necessary for the proper government of the MSTA, which are not covered by these By-Laws; with the advice of the other officers.

Secretary-Treasurer

Section 16. - Powers and Duties The Secretary-Treasurer shall keep a record of all MSTA meetings, meetings of the Board of Directors, and all other meetings of which a record shall be deemed advisable by the Board of Directors. He shall conduct correspondence both of the MSTA, and the Board of Directors. It is the responsibility of the Secretary-Treasurer to issue notice of all meetings, either of the MSTA, or the Board of Directors, and for all other activities which may be authorized by the Board of Directors.

Section 17. - Collect and Receive All Monies The Secretary-Treasurer shall collect and receive all monies, keeping a correct account thereof, and deposit the same in the name of the Mississippi State Troopers' Association, Inc. in such bank or banks, as may be approved by the Board of Directors.

Section 18. - Keep Accounts and Reporting The Secretary-Treasurer shall compile and keep an accurate account of all records, receipts, and monies of the MSTA, and submit a written report of the financial condition of the MSTA, at each meeting. He shall also submit an annual report, in writing, of the financial condition of the MSTA, which shall have been previously approved by the Board of Directors.

ARTICLE VI

Committees

Section 1. - Standing committees Financial Assistance Committee, Legal Aid Committee, and Scholarship Committee are the Standing Committees. The membership for each Committee will be determined by the Board of Directors and the members appointed by the President and the Vice President.

Section 2. - Ad Hoc Committees Ad Hoc Committees will be appointed as necessary by the Board of Directors or the President and the membership and charge to the committee determined at the time of creation of the committee. Ad Hoc Committees will be dissolved when the charge has been completed.

ARTICLE VII

Election of Officers

Section 1. - Nominations and Voting The nomination of members for the offices of President, Vice President, and Secretary-Treasurer shall be placed on ballots for election from nominations received by the Secretary-Treasurer from each troop, bureau, and/or division representative. The ballot shall be mailed to each member by April 15 and returned to the Secretary-Treasurer by April 30. Any runoff election shall be mailed by May 15 and returned by May 30, with results to be published by June 15. Any ballots postmarked later than the above mentioned dates will be disregarded.

ARTICLE VIII

Finances, Dues, Fees and Assessments

Section 1. - Fiscal Year The fiscal year for the MSTA is 1 July through 30 June of each year. The membership year shall be the same as the fiscal year.

Section 2. - Board to Establish Dues, Fees and Assessments The Board of Directors shall establish the dues, fees and assessments for MSTA.

Section 3. - Board May Approve Assessment The Board of Directors, at any regular meeting, may approve an assessment of all members, providing that ten (10) days prior notice was provided to the board members that such an assessment would be considered.

Section 4. - Disbursements To Be Supported by Receipts All disbursements of MSTA funds will be supported by signed receipts or other acceptable documentation from the officers and Board of Directors of MSTA.

Section 5. - Drafts in Excess of \$5000.00 The President and the Secretary-Treasurer shall sign all drafts on MSTA bank accounts in excess of five thousand dollars (\$5000.00) with the approval of the Board of Directors prior to signing the drafts.

Section 6. - Special Accounts Special Accounts may be established from time to time to meet special needs of the membership and the rules for administering each account will be defined by the Board of Directors at the time the Special Account is established.

ARTICLE IX

Meetings

Section 1. - Meetings Governed by Roberts' Rules All meetings of the MSTA, the Board of Directors, Standing Committees and Ad Hoc Committees will be governed by Roberts' Rules of Order, Revised.

Section 2. - Regular Meetings Regular meetings of the Board of Directors will be held monthly, or at such other frequency as the Board of Directors may direct, but in any case not less than once every three months.

Section 3. - Special Meeting of Board of Directors The President may call a special meeting of the Board of Directors whenever an emergency arises or upon the petition of a majority of the members of the Board of Directors.

Section 4. - Committee Meetings Meetings of the Standing Committees and Ad Hoc Committees will be called by the President, the Board of Directors or the Committee Chairman as needed.

Section 5. - Time and Place of Meetings The time and place where meetings are to be held will be announced to the applicable members who should attend with sufficient notice to insure optimum attendance.

Section 6. - Quorum A majority of the Board of Directors shall constitute a quorum.

Section 7. - Telephone Polling In the event of an emergency or when action is needed promptly but there is insufficient time to convene a regular meeting a telephone poll of the membership of the group or Committee on the question or questions needing prompt action may be made.

ARTICLE X

Records

Section 1. - Secretary-Treasurer to Keep and Certify Minutes The Secretary-Treasurer, or someone designated by him, shall take and keep an accurate record of all minutes of the Board, and of all minutes directed by it to be kept. Minutes of the Financial Assistance Standing Committee will only be kept under certain circumstances as defined in the procedures for Financial Assistance and as approved by the Board of Directors. The Secretary-Treasurer shall certify the content and accuracy of the minutes by his signature.

Section 2. - President to Sign and Certify Minutes The President, or the Vice-President in the absence of the President, shall certify the content and accuracy of the minutes submitted by the Secretary-Treasurer and shall sign the minutes to indicate that they are complete and accurate.

Section 3. - Minutes of Ad Hoc Committees When an Ad Hoc Committee is named and given a charge it will be determined if minutes will be kept of each meeting. If it is determined that minutes are required the Secretary-Treasurer, or someone designated by him, shall take the minutes and certify them as complete and accurate by signature.

Section 4. - Minutes Maintained and Kept in MSTA Office All minutes will be maintained in certified form and filed in an orderly fashion in the offices of the MSTA. The minutes and other MSTA records will be available for study and review by the officers and members of the MSTA.

ARTICLE XI

Amendments

Section 1. - Proposed Amendments A proposed amendment of these Bylaws may be submitted at any regular session of the Board of Directors; the said proposed amendment must be in writing and signed by five (5) active members. Such proposed amendment shall be voted on at the following meeting and must receive a two-thirds (2/3) vote of all members present and voting before it can be approved. After approval by the Board of Directors, the Secretary-Treasurer will mail said proposed amendment to the membership for voting on the change. Results will be published within thirty (30) days after the voting. A simple majority will rule.

ARTICLE XII

Non-Discrimination

Section 1. No person shall be denied membership in this Association because of race, sex, religion, age, disability or national origin.

ARTICLE XIII

Prohibition Against Sharing Association Assets

Section 1. No member, officer, or employee shall benefit or profit from MSTA assets except for such reasonable compensation for services performed.

ARTICLE XIV

Non-Liability of Directors

Section 1. Members of the BOD shall not be personally liable for debts, liabilities of the Association.