

30 April 2005

**ENLISTED ASSOCIATION of the NATIONAL GUARD  
Of  
WEST Virginia  
BY - LAWS**

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**Of  
WEST Virginia**

**BY - LAWS**

**ARTICLE I**

The name of this Association is "Enlisted Association of the National Guard of West Virginia" hereinafter referred to as the "Enlisted Association."

**ARTICLE II**

The object of the Enlisted Association is to promote and maintain adequate national security and to promote and advance the status, welfare and professionalism of the enlisted members of the West Virginia National Guard.

**ARTICLE III**

**MEMBERSHIP**

**Section 1**

Classes of Membership in the Association are:

- A. Annual
- B. Life
- C. Honorary
- D. Associate
- E. Corporate

Qualifications and Requirements for membership are:

A. Annual:

Upon application and payment of the prescribed dues, an annual membership may be issued to an enlisted member, active or retired, of the National Guard of West Virginia.

B. Life:

Upon application, payment of the prescribed amount and approval of the Executive Council of the Enlisted Association, a person who is qualified to be an annual member, must be a Life Member of the Enlisted Association of the National Guard of the United States (EANGUS), before being issued a Life Membership of the West Virginia Enlisted Association of the National Guard (WVEANG).

C. Honorary:

The Executive Council of the Enlisted Association may, by majority vote, confer Honorary Membership upon a person who has rendered outstanding service to the United States, any political subdivision thereof, the State of West Virginia, and the West Virginia National Guard.

D. Associate:

Upon application, payment of the prescribed amount and approval of the Executive Council of the Enlisted Association, a person not otherwise qualified for membership may be issued an associate membership. An associate member may not be an accredited state delegate, hold office, or be entitled to vote.

E. Corporate:

Upon application, payment of the prescribed amount, and approval of the Executive Council of the Enlisted Association, Organizations with a common interest in the goals and objectives of this Enlisted Association may join as a corporate member. Corporate members may not be an accredited state delegate, hold office or be entitled to vote.

Dues:

A. The dues required for membership in the Enlisted Association are:

1. Annual:

\$8.00 for pays grades E1 through E4, \$15.00 for pays grades E5 through E6, and \$25.00 for pays grades E7 through E9. Dues are broken down as follows for each pay grade:

E1 – E4: \$0.85 for the Enlisted Association, \$1.15 for Area II Membership, and \$6.00 for EANGUS.

E5 – E6: \$7.85 for the Enlisted Association, \$1.15 for Area II Membership, and \$6.00 for EANGUS.

E7 – E9: \$17.85 for the Enlisted Association, \$1.15 for Area II Membership, and \$6.00 for EANGUS.

2. Life:

Life Membership shall be made available to those members who elect to do so. The fee shall be sixty seven percent (67%) of the cost of National Life Membership. If age 50 or older fee shall be a minimum fee of \$51.00.

3. Honorary:

No membership fee is required for Honorary Memberships.

4. Associate:

Associate Membership dues shall be \$10.00 per year. Dues collected for Associate Membership will not be forwarded to EANGUS or Area II. These dues will be utilized in the best interest of the Enlisted Association.

5. Corporate:

Corporate Membership dues shall be \$250.00 per year. Dues collected for Corporate Membership will not be forwarded to EANGUS or Area II. These dues will be utilized in the best interest of the Enlisted Association.

- B. Annual dues are due payable on expiration of current membership or during anytime of the current year.
- C. Annual membership is effective on the month of payable dues receipt for a period of one (1) year.
- D. Annual membership in the Enlisted Association will not be issued for more than one year.

#### **Section 4**

Membership Termination:

- A. The Officers and Executive Council of the Association may by two-thirds (2/3) vote, and the return of any current dues.
- B. Reject any applicant for membership.
- C. Terminate a membership, after extending to the member concerned a reasonable opportunity to present evidence in their behalf.

### **ARTICLE IV**

#### **Section 1**

The Officers of the Association are:

- A. President (1)
- B. President - Elect (Army/Air), 1<sup>st</sup> Vice-President (Army/Air) (2)
- C. The Immediate Past President (1)
- D. Treasurer (1)
- E. Secretary (1)

#### **Section 2**

Qualifications:

An officer of the Enlisted Association will be a member of the Association, other than an Honorary, Associate or Corporate Member. If a member of the Executive Council accepts a commissioned or warrant officer position in the West Virginia National Guard, while serving as an officer of the Enlisted Association, then that person can continue to serve on the executive council until term is expired or resigns. This individual cannot attend the national conference in the position held and must relinquish their duties and authority to the past president/1<sup>st</sup> Vice President, upon concurrence of the other members of the executive council. After the national conference the individual will resume their position held on the executive council.

### Section 3

#### Duties and Powers:

##### A. President:

1. A member ex-officio of all committees.

2. The President shall:

(a) Direct the affairs of the Association in accordance with the policies adopted in General or Special Conference of the Association

(b) Issue the call for a Special Conference of the Association and make the necessary arrangements for such conferences.

(c) Select the Chairperson of each committee.

(d) Render an annual report of the Association.

(e) Perform such duties as are usually performed by the President of an organization and as may be prescribed by the By - Laws or assigned by the Executive Council of the Association.

##### B. Vice-President (Air/Army):

The Vice-Presidents are members of the Executive Council and shall:

1. Perform the duties usually performed by the Vice-President of an organization and Such duties as prescribed by the By - Laws or assigned by the President.

2. In the event that the President is terminated, resigns or is removed from office, the President Elect will assume the office, title, and prerequisites of the President of the Enlisted Association for the remainder of the unexpired term.

3. In the event that the President Elect is terminated, resigns or is removed from office, the 1<sup>st</sup> Vice-President will assume the office, title, and prerequisites of the President of the Enlisted Association for the remainder of the unexpired term.

4. Immediate Past President:

The immediate Past President is a member of the Executive Council. The Past President may not succeed to any other office of other such officers for their elected term.

C. Secretary:

1. The recording officer of the Enlisted Association.
2. Responsible for the records of the Enlisted Association.
3. Member of the Executive Council.

D. Treasurer:

The Treasurer is a member of the Executive Council and shall perform the duties usually performed by the Treasurer of an organization and other duties as prescribed by the By - Laws or assigned by the President.

#### Section 4

Election:

The President's position will be transitioned to the President - Elect, the First Vice-President's position will be transitioned to the President - Elect, by majority vote biennially, by a General Conference of the Enlisted Association. The nomination(s) of the vacant position of First Vice-President (Army/Air), will come from the members present at the General Conference of the Enlisted Association, by majority vote, be elected to fill the vacant position. The Secretary and Treasurer will remain as elected for the term of office. In the event that a President Elect/First Vice - President fails to receive a majority of votes, and then members present at the General Conference of the Enlisted Association will nominate a candidate(s), by majority vote, then replace the former President – Elect/First Vice-President. Nominees must be present at the conference to be considered for election. The President, President - Elect, and Nominated First Vice-President, will be elected annually, i.e. 2000, 2001. The Secretary and Treasurer will be elected on two-year increments, i.e. 2000, 2002.

Tenure:

All newly elected officers shall be installed in office on the day following the General Conference by which they were elected. The Immediate past President will assume his office at the same time the other officers are installed. All out-going officers of the Enlisted Association will, within thirty (30) days of being succeeded, turn over all records or documents of the Enlisted Association to their successor.

## **Section 6**

### Termination of Tenure:

An officer may be removed from office by two-thirds (2/3) vote of the Executive Council for sufficient cause.

## **Section 7**

### Nomination of Officers:

The Committee on Nominations consists of a chairperson appointed by the President, and four members designated by the Executive Council. Appointments will be made at least sixty (60) days prior to the general Conference in the year elections are conducted. The Committee on Nominations shall:

1. Convene and prepare a slate of nominations consisting of the names of eligible members of the Enlisted Association for each office required to be filled by the General Conference.
2. Report to the Conference its slate of nominations.
3. All nominations of eligible members for any office will be accepted from the floor immediately following the Committee on Nominations slate.
4. All nominees must be present at the conference to be considered.

## **ARTICLE V**

### **CONFERENCES**

#### **Section 1**

##### National Conferences:

Delegates to the National Conference of the Enlisted Association of the National Guard of the United States shall consist of the Executive Council of the Enlisted Association and as many annual or retired members as needed to fill the delegate delegation. The number of delegates is derived from the number of members of the Enlisted Association. Duties of the Enlisted Association Delegates are as follows.

1. Attend all meetings as directed by the Association President. Ideally delegates will be appointed to the various committees/meetings prior to the start of the National Conference.

3. Delegates will give a report to the State Conference of the proceedings of the meetings that they attended at the National Conference.
4. Delegates will be reimbursed for expenses at the National Conference, as appropriated by the Executive Council, according to the financial situation of the Enlisted Association.

## **Section 2**

State General Conferences:

A General Conference of the Enlisted Association shall be convened annually, preferably during the same time and place as the West Virginia National Guard Association (WVNGA).

## **Section 3**

Special Conferences:

A special conference of the Enlisted Association may be convened when required.

# **ARTICLE VI**

## **EXECUTIVE COUNCIL**

### **Section 1**

The Executive Council of the Enlisted Association Consists of:

1. The officers of the Enlisted Association.
2. Three members of the Army or air National Guard as appointed by the President of the Enlisted Association.
3. State Command Sergeant Major (ARMY).
4. State Command Chief Master Sergeant (AIR).
5. State Auxiliary President.
6. Three appointed members at large on approval of 2/3 vote of the Executive Council.

## Section 2

Duties and Powers:

A. The Executive Council shall:

1. Act as the governing body of the Enlisted Association in accordance with the policies adopted in General or Special Conferences of the Enlisted Association.
2. Establish the facilities and related criteria for a General Conference, solicit invitations for the time and place of such conferences, and certify the time and place of those invitations which meets the established criteria.
2. Fix the time and place for a General Conference when a General Conference cannot, for any reason, be convened at the time and place fixed therefore.
3. Will appoint the necessary members to form committees as when so informed by the President of the Enlisted Association.
4. Convene at the call of the President of the Enlisted Association
6. Perform such additional duties and exercise such additional powers as are specifically granted in, or required by the By - Laws of the Enlisted Association.

B. The Executive Council may:

1. Order an audit of the records and finances of the Enlisted Association by a Certified Public Accountant in addition to the annual audit.
2. Members (President, President – Elect, 1<sup>st</sup> Vice – President, and Past President) of the Executive Council will be appointed for a one (1) year period, unless terminated or removed from there as provided in these By – Laws. Members (Secretary and Treasurer) of the Executive Council shall be appointed for a two (2) year period, unless terminated or removed from there as provided in these By - Laws.

## Section 3

Tenure:

1. Members of the Executive Council shall be installed on the day following the General Conference by which they were elected.

2. Members of the Executive Council (President, President - Elect, 1st Vice-President, and Past President) shall be elected for a one (1) year period, Secretary and Treasurer shall be elected for a two (2) year period, unless terminated or removed from there as provided in these By - Laws.

## **ARTICLE VII**

### **FISCAL**

#### **Section 1**

Fiscal Year:

The fiscal year of the Enlisted Association starts on 1 October and ends on 30 September.

#### **Section 2**

Funds:

Funds of the Enlisted Association shall be:

1. Deposited in the name of the West Virginia Enlisted Association of the National Guard in a bank or credit union as designated by the Executive Council.
2. Separated into such accounts as the Executive Council may direct.
2. Used to promote the purpose of the Enlisted Association.

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#### **Section 3**

Expenditures:

Bills, claims, and expenditures of the Enlisted Association shall be:

1. Certified by the President and Treasurer of the Enlisted Association.
2. Paid by warrant drawn on the funds of the Enlisted Association and executed by the President and the Treasurer of the Enlisted Association.
3. Where as the Enlisted Association of the National Guard of West Virginia Executive Council has of prosody time only and signature requirement of State President, State treasurer and one other appointed Executive Council member to be authorized to sign association checks with a minimum of two signatures required on each check.

4. Quarterly Expense Reports (with current bank statements) will be prepared by the Treasurer and forwarded to the Executive Council.

#### **Section 4**

Contracts:

Contracts, other than those involving real property, shall be executed in the name of the Enlisted Association and signed by the President and the Secretary of the Enlisted Association.

### **ARTICLE VIII**

#### **VOTING**

##### **Section 1**

General:

Except as otherwise provided by these By - Laws, the method of voting is:

1. At any official meeting of the Enlisted Association of the National Guard of West Virginia, with an official meeting being defined as any meeting held with at least three Executive Council members present and a two-thirds (2/3) vote of the members present.
2. Voting may not be by proxy.
3. Must be a current Member of the Association.

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4. Verification of membership will be via membership card and/or membership roster this constitutes legal voting status.

### **ARTICLE IX**

#### **PARLIAMENTARY AUTHORITY**

The rules contained in Robert's Rules of Order, Revised, shall govern the Enlisted Association in all cases to which they are applicable, except where modified by:

1. The By - Laws of the Enlisted Association.
2. Standing rules or special rules established by a General or Special Conference.

## **ARTICLE X**

### **VACANCIES**

#### **Section 1**

Tenure and Filling Vacancies:

1. In the event of a vacancy on the Executive Council, other than an officer of the Enlisted Association, the President shall appoint, with approval of the Council, a member of the Enlisted Association to serve the unexpired period of tenure.

2. In the event of a vacancy in the office of President of the Enlisted Association, the Executive Council shall elect to the office of President, by majority vote, the President Elect. The President Elect will serve as interim until term of office expires.

3. In the event of a vacancy in the office of Vice-President, Secretary, or Treasurer of the Enlisted Association, the Executive Council shall elect to that office, by majority vote, a member of the Enlisted Association. Member will serve as interim until term of office expires.

## **ARTICLE XI**

### **AWARDS**

#### **Section 1**

The Lawrence Black Award will be presented to only one individual during the annual conference. This individual will have served the Enlisted Association by being a member and through several years of commitment for the well being of the Enlisted men and women of the West Virginia National Guard or by being a member and an accomplishment that would benefit the Enlisted Association for years to come. This award will be the highest award that can bestow upon an individual of the Enlisted Association. A current member of the executive council can only nominate an individual. The executive council must all be in agreement of this nomination.

#### **Section 2**

The Outstanding Airman and Soldier of the Year will be presented a plague during the annual conference. The State Command Sergeant Major (Soldier(s)) and the State Command Chief Master Sergeant (Airmen) will announce these individuals.

### **Section 3**

The MSgt. Roger D. Redman President's Award plaque will present during the annual conference. This individual will have served the Enlisted Association, served as a president of the executive council in good character, integrity and honor. The current president of the executive council can only nominate an individual. The executive council must be two-thirds in favor of this nomination.

### **Section 4**

The Harold C. Pierce Jr. Scholarship will be presented during the annual conference. Recipients of this scholarship must be a dependant or spouse of a current member of the Enlisted Association. Individual(s) will have been selected from the scholarship committee in which will consist of the co-chairpersons (State Command Sergeant Major and State Command Chief Master Sergeant) and three Senior Non-Commissioned Officers which have earned a college degree.

### **Section 5**

The USAA Scholarship will be presented during the annual conference. Recipients of this scholarship must be a current member of the Enlisted Association. Individual(s) will have been selected from the scholarship committee in which will consist of the co-chairpersons (State Command Sergeant Major and State Command Chief Master Sergeant) and three Senior Non-Commissioned Officers which have earned a college degree.

## **ARTICLE XII**

### **AMENDMENTS**

#### **Section 1**

By Two-Thirds Vote:

These By - Laws may be amended at a General or Special Conference by a two-thirds (2/3) vote of the members present. An amendment may be proposed by a member of the Enlisted Association and shall be submitted in writing to the President of the Enlisted Association at least sixty (60) days prior to the date set for the convening of the Conference at which the proposed amendment is to be considered. As soon as possible after its receipt by him, the President shall mail copies to the members of the Executive Council, which shall make recommendations concerning the proposed amendment as it may see fit.

## Section 2

By Unanimous Vote:

These By - Laws may be amended at a General or Special Conference of the Enlisted Association by a unanimous vote without prior notice and without prior action by the Executive Council. This provision is only to be used for amendments that were unable to be presented prior to the general conference.

Unless otherwise provided, an amendment of the By - Laws Shall be effective upon the adjournment of the General or Special Conference which adopted it.

“We certify the foregoing to be a true copy of the current By - Laws of the Enlisted Association of the National Guard of West Virginia, as amended and approved in General Conference on 30 April 2005 at Roanoke, West Virginia.”

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CHRISTOPHER T. TUSING  
President

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DELBERT I. “BUTCH” SHEPPARD  
Past President

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GARY D. CONLEY  
President Elect

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THOMAS L. YOUNG  
1<sup>st</sup> Vice President - AIR

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SHERRY L. CLAUS  
Secretary

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PRISCILLA E. MINTER  
Treasurer

## DEFINITIONS

For the purpose herein:

1. "May" is used in a permissive sense.
  2. "Shall" is used in an imperative sense.
  3. "May not" is used in a prohibitive sense.
  4. "Majority vote" means and includes a majority of the legal votes cast.
  5. "Member" means an Enlisted Guard Person with paid up membership and in good standing in the West Virginia National Guard.
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