



**NEW MEXICO WATER AND WASTEWATER ASSOCIATION
CONSTITUTION
(Revised 8/24/2021)**

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**NEW MEXICO WATER AND WASTEWATER ASSOCIATION
C O N S T I T U T I O N**

(Revised - 1/11/08)

(Revised & Approved - 8/24/21)

ARTICLE 1. NAME:

The name of the organization shall be the "New Mexico Water & Wastewater Association", hereinafter, designated the "Association" and abbreviated "NMWWA".

ARTICLE 2. PURPOSE:

This Association is formed to better protect the public health and environment, and to preserve the investment of public funds in New Mexico by promoting proper design, construction, operation, performance evaluation, and management of water and wastewater utilities. To accomplish this general purpose, the Association is committed to the following continuing activities:

2.1: Advancement of practical knowledge in design, construction, operation, performance evaluation, and management of water and wastewater facilities.

2.2: Improvement of the professional status and public image of personnel engaged in any aspect of the water quality control field.

2.3: Stimulation of public awareness of the relationship of water resource quality to public health, and of the need for preservation, conservation, and reuse of water resources.

2.4: Promotion of the training and certification programs for New Mexico water and wastewater personnel.

2.5: Provision of communication and relationships with the Sections of the Association and with the various communities involved.

2.6: Cooperation with other organizations that are interested in the water and wastewater industry in NM.

2.7: (Reserved – Code of Ethics) refer to Code of Professional Conduct in NMED UOCP regulations (NMAC 20.7.4.16)

ARTICLE 3. RESTRICTIONS:

3.1: Activities which are not consistent with the stated purposes shall not be considered representative of the Association.

3.2: The Association is organized and will operate exclusively for non-profit, scientific, and educational purposes.

3.3: The Association is organized and will operate exclusively for non-profit, scientific and educational purposes.

ARTICLE 4. MEMBERSHIP:

4.1: Membership in the Association is open to individuals with personal or professional interest in the Association's purposes. Membership, and all associated rights and privileges, are outlined in the By-Laws.

ARTICLE 5. ADMINISTRATIVE OFFICERS:

5.1: The affairs of the Association shall be administered by the elected officers of the Association under such rules as the Executive Board may determine and shall be subject to the specific conditions of the Constitution & By-Laws. The administrative officers of the Association shall be elected from the active membership in accordance with any qualifications set down for members in the By-Laws. The elected officers' duties and terms of office are:

5.2: PRESIDENT:

5.21: The Association President is charged with the primary responsibility for directing the Association's activities as stipulated in the Constitution and By-Laws, and may be called on to represent the Association. The President oversees the duties of the Executive Manager and of the other elected officers and appoints committees and their respective chairman to further Association activities. Also, the President calls all meetings of the Association and the Executive Board and presides over those meetings. Guidelines and policies set by the Executive Board must be followed in all duties.

5.22: The term of President is one (1) year, directly preceded by one (1) year as President-Elect, and followed by one (1) year as Past President. The President shall not be eligible for re-election as President Elect until two (2) years after the end of his or her term.

5.3: PRESIDENT-ELECT:

5.31: The President-Elect must become thoroughly familiar with the Constitution and By-Laws of the Association. The President Elect shall serve on committees as assigned by the President, shall serve on the Executive Board and assist on its committees as requested. Presiding over meetings of the Executive Board in the absence of the President and Vice-President, is a responsibility of this office. It is important that he/she is aware of the Association's calendar of events and deadlines for awards and other various items.

5.32: The term of office of President-Elect is one (1) year, followed by a one (1) year term as President.

5.4 PAST PRESIDENT:

5.41: The Past President shall serve on committees as assigned by the President, shall serve on the Executive Board, and assist on its committees as requested. Also, the Past President will serve in an advisory capacity to the President and other members of the Executive Board.

5.5: VICE PRESIDENT:

5.51: The Vice President presides over Executive Board meetings in the absence of the President, and shall assume any duties of the President when so delegated by the President. The Vice President shall serve on the Executive Board, and as a member of its committees if so designated.

5.52: The term of office for the Vice President is two (2) years.

5.6: SECRETARY/TREASURER:

5.61: The Secretary/Treasurer shall oversee the recording of proceedings of the meetings of the Association and Executive Board, the collection of the monies due the Association, and shall sign all Association checks. The Secretary/Treasurer shall be responsible for disbursing Association funds under general direction of the Board. A quarterly financial report must be submitted to the Board and an annual report submitted to the Association at the Annual Business Meeting. In respect to all these activities, the work shall be accomplished in conjunction with the Executive Manager of the paid staff of the Executive Board, as called for in the By-Laws.

5.62: The term of office for Secretary/Treasurer will be two (2) years and shall be responsible for coordinating with an Accountant or Certified Tax Accountant for the fiscal year. The Association's fiscal year shall begin January 1st and end December 31st.

5.63: The Secretary/Treasurer shall maintain a current file of job descriptions of all paid staff of the Executive Board.

5.7: DIRECTORS:

5.71: There shall be two (2) Directors that will serve on the Executive Board and any committees if so designated. They shall serve as advisors to the President and be subject to special assignments that he/she may make for them.

5.72: The Directors shall be elected to two-year (2-year) terms, one position opening each year.

5.8 Term of Office:

5.8.1: The term of office for all elected officials will begin at the annual business meeting of the Executive Board.

5.9 Nomination Procedures:

5.9.1: Nomination procedures for elected officers shall be as described in the By Laws.

ARTICLE 6. EXECUTIVE BOARD:

6.1: All major decisions on Association action and policy must be made by the Executive Board. This Board may delegate the administration of its policy to the elected officers or to committees assigned to particular tasks. Executive Board decisions can only be over-ruled by the Active membership (as described in Article 1 of the By-Laws).

6.2: The Executive Board shall consist of the elected officers of the Association (as described in Article 5), the immediate Past President of the Association, the Presidents of the authorized Association Sections or their designee, and one representative each from the New Mexico Environment Department and the Dona Ana Community College of New Mexico State University. Each Executive Board member shall have equal voting rights in Executive Board meetings, except the presiding officer as who may not vote except in the case of ties.

6.3: The elected officers shall perform Executive Board duties as described in Article 5. In addition, the immediate Past-President shall serve as an advisor to the President on the requirements of the Association Constitution and By-Laws.

6.4: The Executive Board shall meet as often as it deems necessary, but not fewer than four (4) times per year.

6.5: No action of the Executive Board shall be possible without the presence of a quorum of eight (8) Board members attending a properly called meeting. All Executive Board members must be notified of any meeting and voting agenda at least two (2) weeks prior to the meeting in written format.

6.5.1: Voting agenda items must be submitted to the President and/or Executive Manager, in written format (letter or electronic communication), at least four (4) weeks prior to the meeting.

6.5.2: Any Active member may petition a voting agenda item in accordance with the previous mentioned section 6.5.1.

6.5.3: The Executive Board shall not take action on any item brought before the Board not appearing on the voting agenda meeting the criteria set forth in 6.5 and 6.5.1

6.6: The Executive Board and the Association President are authorized to establish various committees to carry out the work of the Association. These committees must report to the Association President and the Board.

6.7: The Executive Board is further authorized to maintain such paid staff as it deems necessary to conduct the day-to-day affairs of the Association. Specific staff positions and their respective general responsibilities shall be as outlined in Article 10 of the By-Laws.

6.8: The Executive Board shall approve semi-annual audits and annual tax reports by the Accountant or a Certified Tax Accountant.

ARTICLE 7. BALLOTING:

Balloting shall be provided as described in the By-Laws.

ARTICLE 8. ANNUAL BUSINESS MEETING:

8.1: The Annual Business Meeting of the Association membership shall be called early in the business and fiscal year, as prescribed in the By-Laws.

8.2: The Annual Business Meeting of the Executive Board shall be the first Board meeting of each business year, as prescribed in the By-Laws.

ARTICLE 9. DUES:

9.1: The payment of dues shall be as described in the By-Laws.

ARTICLE 10. ENACTMENT OF BY-LAWS:

10.1: In order to permit further organization and development of the Association, By-Laws shall be enacted as needed to supplement but not to conflict with the provisions of this Constitution.

10.2: Enactment or amendment of By-Laws shall be as prescribed in the By-Laws.

ARTICLE 11. BUSINESS YEAR AND FISCAL YEAR:

11.1: The business year and fiscal year of the Association shall be as specified in the By Laws.

ARTICLE 12. DISSOLUTION:

12.1: Upon the dissolution of the Association, the Executive Board shall, after paying or making provisions for the payment of all of the liabilities of the Association, dispose of all the assets of the Association as follows:

12.1.1: At Time of Dissolution the Association Executive Board will assess the financial situation and determine the amount to be given, in accordance with the details developed with the NMSU Foundation, to establish an endowed scholarship named in honor of the New Mexico Water and Wastewater Association. Said scholarship is to be awarded to students pursuing a degree in Water Technology at the Dona Ana Community College campus of New Mexico State University; and

12.2.2: All remaining funds will be placed in the Water Technology Program Testing Account for the purpose(s) of: 1) equipment purchases; 2) purchase of consumables that directly support student instruction; and 3) professional development of faculty and staff of the Water Technology Program.

ARTICLE 13. ASSOCIATION SECTIONS:

13.1: Organization: In order to permit further organization and development of the Association, Sections may be formed with their own "Section Constitution and By-Laws" to supplement, but not to conflict with, those of the Association. In case of conflict, the provisions in the "Association Constitution and By-Laws" shall take precedence over the "Section Constitution and By-Laws."

13.1.1: Section boundaries are defined in Appendices A of the By-Laws. Any modification to boundaries must be made through the amendment process of the Association.

13.2: Dissolution: In the event of dissolution of a section, all of said Section's assets, if any, shall be transferred to the Association.

13.3: Fiscal Year: The fiscal year of each Section shall be same as that of the Association.

ARTICLE 14. AMENDMENTS:

14.1: Amendments to this Constitution may be proposed by the Board through a Committee of the Board or by means of written petition signed by at least twenty-five (25) Active Members of the Association and submitted to the Association President.

14.2: Proposed amendments shall be reviewed by a Special Committee and they shall then make recommendation to the Executive Board.

14.3: All proposed amendments shall be given to all Executive Board members at least thirty (30) days before the Board meeting during which action on the proposed amendment is being requested by the Special Committee as defined in the By Laws.

14.4: Proposed amendments receiving majority approval of the Board, during which a quorum is present, shall pass to the active membership with a "Do Pass" recommendation. General membership will be notified of proposed amendments not receiving Executive Board approval and why.

14.5: Copies of the proposed amendments and ballot must be provided to each active member at least thirty (30) days before the votes are to be opened and counted.

14.6: Proposed amendments must be ratified by a 2/3 majority of the returned ballots of the eligible voting membership as defined in the By-Laws.

14.7: The Section Presidents shall be notified of the outcome and shall initiate required changes in the Section Constitutions where necessary.

14.8: When amendments have been acted upon favorably by the Association, they shall take effect immediately and the revised Constitution shall be distributed to the membership at large.



**NEW MEXICO WATER AND WASTEWATER ASSOCIATION
BY-LAWS
(Revised 8/24/2021)**

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NEW MEXICO WATER AND WASTEWATER ASSOCIATION

BY-LAWS

(Revised & Approved - 8/24/21)

(Revised - 6/20/08)

1. MEMBERSHIP CLASSIFICATIONS:

1.1: Active Membership:

1.11: Qualifications: Active membership is open to anyone with personal or professional interest in the purposes of the Association, as stated in the Constitution. Each active member must be a member of a regional Section.

1.12: Privileges: Active members shall have all the rights and privileges granted by the Association. Including, but not limited to, voting rights, rights to hold office and serve on committees, receipt of materials and publications distributed by the Association, and registration of training credits achieved.

1.2: Associate Membership:

1.21: Qualifications: Associate membership is open to persons who are interested in the stated purposes of the Association, and who are not able to actively participate in Section or State Association activities, due to remote location or other factors. Associate members are not required to hold membership in a Section.

1.22: Privileges: Associate members may not hold elected office or vote. In all other respects, their privileges are similar to those of Active members.

1.3: Student Membership:

1.31: Qualifications: Student membership is open to persons enrolled in college level courses for the equivalent of six (6) or more semester hours while pursuing a course of study pertinent to the water and wastewater field. Student members are required to be a member of a regional Section.

1.32: Privileges: Student members shall have voting rights and shall receive Association publications.

1.4: Life Membership:

1.41: Qualifications: The Executive Board may confer lifetime membership upon anyone who has been an Active member of the Association for twenty (20) or more years. Nomination may be made by any member to the Executive Board in accordance with the criteria of Executive Board Policy #4. The Board Executive Manager shall confirm appropriate longevity of membership. The affirmative vote of eight (8) Executive Board members is required to grant Life Membership. **Privileges:** Life members shall have all the rights and privileges of Active members while no dues will be assessed by the Association for membership in the Association.

1.5: Corporate Group Membership:

1.51: Qualifications: Group membership is open to any business or incorporated municipality employing two (2) or more individuals in the design, construction, operation, maintenance, performance evaluation, or management of water and wastewater facilities, or in the training for such occupations.

1.52: Privileges: Individuals enrolled through Corporate Group Membership has all the rights and privileges of Active Membership.

2. DUES:

2.1: Annual state dues will be assessed to members according to the following schedules:

2.11: Active Members - \$80

2.11.1 State - \$75

2.11.2 Section - \$5

2.12: Associate Members - \$75

2.13: Student Members - \$70

2.13.1 State - \$65

2.13.2 Section - \$5

2.14: Corporate Members - \$78 per individual (min. 2 required)

2.14.1 State - \$73

2.14.2 Section - \$5

2.2: Payment of dues:

2.21: All renewable membership dues will be payable to the Association by January 31st of each year.

2.22: Section dues will be dispersed, by the Executive Manager, to the appropriate Section by November 1st.

2.23: Corporate Group Membership must be paid by corporation check.

2.24: The Association will provide notices to members in arrears for annual dues payments in early March. The names of members, not having paid dues by April 1st, shall be removed from active membership status until dues are paid.

2.25: Dues payments received after November 1st will be considered as payment for the following year.

3. ASSOCIATION SHORT SCHOOLS:

3.1 The Association will conduct one (1) or more "Short Schools" each year.

3.2 The Annual Short School will host the Annual Business Meeting of active members and the Annual Awards Banquet.

4. ANNUAL ASSOCIATION BUSINESS MEETING:

An Annual Business Meeting of the Association's active membership will be called early in the year at the Annual Association Short School. Announcement of the exact time and location shall be listed in the Short School program.

5. BUSINESS YEAR:

The Association's business year and the terms for elected officers will begin with the passing of the gavel from the outgoing President, now Past-President, to the incoming president, previously President-Elect.

6. FISCAL YEAR:

The Association's fiscal year shall begin January 1st and end December 31st.

7. EXECUTIVE BOARD MEETINGS:

7.1: The Annual Executive Board Meeting will be held in conjunction with the Annual Short School. The Executive Board will meet not fewer than three (3) regular meetings each year following the Annual Board meeting.

7.2: Special meetings of the Board may be called by the Association President if the need is indicated. The Association President must call a meeting if a written request for such a meeting is made by four (4) or more Board members.

7.3: The Association President must establish the time and place of each Board meeting, and must direct the Executive Manager's Office to provide notices of such meetings at least two (2) weeks in advance of the meeting date.

7.4: If, for any reason, the Association President fails to complete the duties as outlined in the Constitution, the Vice President is charged with fulfilling said duties.

8. ELECTION OF OFFICERS:

8.1: Nominations:

Nominations for Association officers shall be submitted, in writing, to the President and/or Executive Manager by any active member. A maximum of one (1) nominee per office from each Section is allowed but, Sections shall not be required to submit a nominee for every office. All nominations must be submitted before November 1st of each year. The Executive Manager shall draw up a list of nominees and shall submit a written report on each nominee to the Executive Board. Upon approval of the ballot by the Executive Board and confirmation by the Secretary/Treasurer that nominees are valid, the ballot will become official.

8.2: Qualifications

Qualifications for Association officers shall be as defined in 5.1 of the Constitution.

8.3: Balloting:

The official Ballot shall be provided to the Association members by December 1st, in accordance with Article 13 of the By-Laws. Ballots returned after December 30th will not be counted.

8.4: Job Descriptions:

The nominee shall be provided with a job description at the time of selection by the section involved.

9. EXECUTIVE BOARD DUTIES & POWERS:

9.1: The Executive Board shall establish policies and procedures and initiate programs pursuant to the Association's purposes as stated in Article 2 of the Constitution. The Board shall interpret and enforce the provisions of the Association's Constitution and By-Laws.

9.2: The Board shall hear reports of all committees.

9.3: The Board shall authorize disbursements of Association funds.

9.4: The Executive Board may remove any elected Association officer from office by extraordinary vote (Article 14 of the By-Laws). Such proposed action must meet voting agenda criteria. Officers may be removed from office for failure to comply with the Association Constitution and By-Laws, or for failure to comply with Board policy or directives.

9.5: The Board shall retain paid staff according to the needs of the Board and as authorized in the Constitution.

10. PAID STAFF OF THE EXECUTIVE BOARD:

10.1: Executive Manager of the Board:

10.11: The Executive Manager shall perform the routine functions and financial accounting of the Association, as described in Exhibit A, Executive Manager's Job description. The Executive Manager shall be a co-signer on Association checks disbursed by Board approval.

10.12: The Executive Manager shall be responsible to the Association President. He or she shall be bonded at the expense of the Association.

10.13: The Executive Manager shall be responsible for the daily supervision of all additional paid staff.

10.2: The Executive Board shall review the job performance and salary of all paid staff during the last Board meeting of the fiscal year.

10.3: The Executive Board shall be responsible for all disciplinary action of paid staff.

10.4: The Executive Manager and other paid staff positions shall be a competitive hiring process in which the Executive Board shall fill vacated positions with a qualified candidate.

11. FILLING OF VACATED OFFICIAL POSTS:

11.1: If, for any reason, the President, Vice-President, or Secretary/Treasurer, should be unable to complete their term of office, the Board must fill the office by one of two (2) ways: By special general election, or by confirmed succession of another officer. Succession must be confirmed by extraordinary Board vote. This order of succession is prescribed as follows:

11.11: To succeed the President:

Vice-President, President-Elect (his/her term of office will be continued through the full term as elected), the Director whose term ends that year, and finally, the remaining Director.

11.12: To succeed the Vice-President:

The Director whose term ends that year, the remaining Director.

11.13: To succeed the Secretary/Treasurer:

The Director whose term ends concurrently with the Secretary/Treasurer's, the remaining Director.

11.2: If, for any reason, the office of President-Elect is vacated, the unfilled term must be filled by special general election, unless the Board chooses due to the lateness of the vacancy in the year, to include the position of Association President on the normal official ballot.

11.3: A vacated Director's position may be filled by special election or left vacant according to the Board's decision.

11.4: A vacated Past President position will be left vacant.

11.5: If the Board chooses to fill a vacated position by special election, the nomination and balloting must proceed according to Article 8 and 13 of the By-Laws.

12. COMMITTEES:

12.1: Standing Committees:

The following committees' tasks are continuing and, therefore, the committees are to be standing. The committees report to the Association President and the Executive Board, who shall be responsible for providing guidance.

12.11: Annual Short Schools and Program Committee:

This committee is charged with the entire scope of planning and program of the Annual Association Short Schools that are sponsored by the State Association. In this respect, it shall cooperate with local sections

and the Executive Manager of the Association. The committee shall consist of the Past President, the President-Elect, and the two Directors. It may also include special committees on Registration, Displays, Technical Sessions & Workshops, etc.

12.12: Awards Committee:

This committee shall be charged with the review and selection of recipients for all Annual Awards in compliance with award guidelines, and may include such special committees as needed. The awards committee will be responsible for recommending revisions to specific award criteria to the Executive Board. Any applicable Board Policy shall be followed.

12.13: Scholarship Committee:

This committee shall submit the name(s) of recommended scholarship recipient(s) to the Executive Manager under the guidelines of Executive Board Policy #5 on Granting of Educational Scholarship.

12.14: Special Committee:

The scope of work by this committee is to handle special problems within the State Association and the Sections by making recommendations to the Executive Board. This will include proposed changes to the Constitution and By-Laws and aims for the future direction of the Association.

12.2: Special Committee:

The President may establish a special committee as necessary to fulfill the needs of the Board.

13. BALLOTING:

13.1: Electronically or by mail

13.2: Balloting shall be conducted electronically or by mail for voting on amendments to the Constitution, for election of Administrative Officers, and other special actions as determined by the Executive Board.

13.3: Procedure:

13.31: The Association President shall instruct the Executive Manager to provide ballots to all members with the deadline indicated.

13.32: Ballots shall be received by the Association Executive Manager's office and stored in a secured area. The Executive Manager shall track the ballots as they are received, the Executive Manager shall submit the ballot results to the Executive Board within (7) calendar days after the election deadline for acceptance at the first meeting of the fiscal year.

14. EXTRAORDINARY VOTE:

Any action requiring adoption by extraordinary vote of the Executive Board must receive 2/3 affirmative vote of the Board Members present. In no case, shall adoption be made by less than eight (8) affirmative votes.

15. AMENDMENTS:

15.1: Initiation:

15.11: The Executive Board may amend the By-Laws in any manner consistent with the Constitution at any meeting of the Executive Board.

15.12: Proposed amendments shall be provided by the Executive Board President to each member of the Executive Board and to the Secretary of each Section or designated representative at least thirty (30) days prior to Executive Board meetings.

15.2: Adoption:

15.21: Amendments to these By-Laws shall be made only by a favorable Extraordinary Vote of the Executive Board.

15.22: The Executive Board President shall promptly advise the members of the Board, the Secretaries of the Regional Sections or designated representative, and the members of the Special Committee, of the Board's action in regards to proposed amendments voted upon.

15.23: When amendments to the By-Laws have been approved by the Board, they shall take effect immediately and the revision(s) shall be made available to the membership.

16. ASSOCIATION SECTIONS:

16.1: Regional Sections of the Association may be organized as defined in Article 13 of the Constitution.

16.2: Boundaries: The boundaries of each regional Section of the Association are defined in Appendices A of the By-Laws.

17. (Reserved – Code of Ethics)

refer to Code of Professional Conduct in NMED UOCP regulations (NMAC 20.7.4.16)