

**VIRGINIA FIRE CHIEFS ASSOCIATION, INC.
BYLAWS**

**ARTICLE I
DIRECTORS/ADMINISTRATION**

1.01 General Powers. All corporate powers shall be exercised by or under the authority of, and the business and affairs of the Corporation managed under the direction of, its Board, subject to any limitations set forth in the Articles of Incorporation. The Corporation is a non-stock, non-member corporation organized under the laws of Virginia.

1.01.1 Definitions

- a. **VFCA** – Virginia Fire Chiefs Association
- b. **Director** – Member of the VFCA Board of Directors as defined in 1.02
- c. **Officer** – Refers to the President, 1st Vice President, 2nd Vice President, and Treasurer
- d. **Member** - General members or constitutes of VFCA
- e. **Board** – Board of Directors for VFCA
- f. **Annual Meeting** – Board Meeting held in February of each year

1.02 Board of Directors. The number of directors of the Corporation shall be between one and twenty-five, as determined by a majority vote of the directors. The directors shall consist of the following:

- a. President;
- b. First Vice-President;
- c. Second Vice President;
- d. The immediate Past President;
- e. Treasurer;
- f. Eleven elected directors, seven of which shall be elected from the regional alignments used by the Department of Fire Programs, and the remaining four as the Board deems appropriate and pursuant to the terms of these Bylaws; One director representing each section of the Association, to be selected by the governing body of the section;
- g. The SEAFCA representative, ex officio;
- h. The Virginia Fire Services Board representative, ex officio;
- i. The EMS Advisory Board representative, ex officio

1.02.1 The directors, through majority vote, may increase or decrease the number of directors from time to time. The directors shall hold the title of Vice President.

1.03 Administration. Virginia Fire Chiefs Association's administrative staff shall consist of the following positions:

- a. The Executive Director, ex officio;
- b. The PR & Marketing Director, ex officio;

- c. Administrative Assistant, ex officio.

1.04 Designation of Chairman. The President of the Corporation shall be the Chairman of the Board of Directors (the “Chairman”).

1.05 Appointment and Term.

- a. The Chairman shall appoint the directors upon formation of the Corporation.
- b. Beginning with the election of officers at the December Board Meeting, directors shall be elected by the Board for a term of one year.
- c. A director shall continue to serve until his/her successor is appointed or elected and qualifies or until his position is eliminated by a decrease in the number of directors. No individual shall be named or elected as a director without his prior consent.
- d. A candidate for directorship must be an Active Constituent, an Affiliate Constituent, a Life Constituent, or an Honorary Constituent in good standing.

1.06 Removal; Vacancies. A majority of directors may remove any director including the Chairman, with or without cause. A vacancy with respect to a director, including a vacancy resulting from the removal of a director or an increase in the number of directors and including a Chairman vacancy, may be filled by the vote of a majority in accordance with Section 1.10.

1.07 Regular Meetings. Meetings of the Board shall be held for the purpose of carrying on such business as may properly come before the membership. The Board may adopt a schedule of additional meetings, which shall be considered regular meetings. Meetings shall be held at such times and at such places, within or outside the Commonwealth of Virginia, as the Chairman of the Board shall designate from time to time.

1.08 Special Meetings. Special meetings of the Board may be called by the President, or a majority of the directors, and shall be held at such times and at such places, within or outside of the Commonwealth of Virginia, as the person or persons calling the meeting shall designate.

1.09 Notice of Meetings. No notice need be given of annual and regular meetings of the Board. Notice of special meetings of the Board shall be given to each director in person or delivered to his residence or business address (or such other place as he may have directed in writing) not less than ten (10) days before the meeting by mail, messenger, telecopy, telegraph, or other means of written communication or by telephoning such notice to him. Any such notice shall set forth the time and place of the meeting and state the purpose for which it is called.

1.10 Waiver of Notice. A director may waive any notice required by law, the Articles of Incorporation, or these Bylaws before or after the date and time stated in the notice, and such waiver shall be equivalent to the giving of such notice. Except as provided in the next paragraph of this Section 1.09, the waiver shall be in writing, signed by the director entitled to the notice, and filed with the minutes or corporate records.

A director's attendance at, or participation in, a meeting waives any required notice to him/her of the meeting unless the director at the beginning of the meeting or promptly upon his/her arrival, objects to holding the meeting or transacting business at the meeting and does not thereafter vote for, or assent to, action taken at the meeting.

1.11 Quorum; Voting. A majority, more than 50 percent, of the number of voting directors fixed in these Bylaws shall constitute a quorum for the transaction of business at a meeting of the Board. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present is the act of the Board. A director who is present at a meeting of the Board or a committee of the Board when corporate action is taken is deemed to have assented to the action taken unless (i) he objects at the beginning of the meeting, or promptly upon his arrival, to holding it or transacting specified business at the meeting or (ii) he votes against, or abstains from, the action taken.

1.12 Telephonic Meetings. The Board may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may hear, and be heard by, each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

1.13 Electronic Meetings: With the consent of the President, a committee, action team, or other group may conduct any meeting using any electronic medium which allows all participants to simultaneously send and receive audio and/or textual or graphic material.

1.14 Action Without Meeting. Action required or permitted to be taken by the Board may be taken without a meeting if the action is approved by 80% of the number of then current Directors. The action shall be evidenced by one or more written consents stating the action taken, signed by each participating director either before or after the action taken, and included in the minutes or filed with the corporate records reflecting the action taken. Action taken under this Section 1.12 becomes effective when the last director signs the consent unless the consent specifies a different effective date, in which event the action taken is effective as of the date specified therein provided the consent states the date of execution by each director.

ARTICLE II COMMITTEES AND SECTIONS

2.01 Sections. The Board may create one or more sections of the Association. A section should be formed to represent the portion of the Association's constituency that possesses specialized skills, training or knowledge in a common discipline and to allow greater participation in Association activities by the section constituents within their area of specialization. A section shall consist of at least (20) members. If a section drops below the (20) member minimum for a period of one year, then the section will revert back to committee status. Sections shall have governing bodies separate from, but subordinate to, the Board of Directors of the VIRGINIA FIRE CHIEFS ASSOCIATION, INC. Each section shall have its own set of bylaws to govern its operations. Each section shall also adopt a charter establishing them as a section of the Association, and shall abide by the provisions of the charter in conducting its operations. The following Sections currently exist:

- a. Administrative Professionals
- b. Company Officer's
- c. Federal/Military
- d. Life Safety – Community Risk Reduction

2.02 Committees. The Board may create one or more committees, and appoint members of the Board and/or Constituents of the Corporation to serve on them. Each committee shall have two or more members who serve at the pleasure of the Board. The creation of a committee and appointment of members to it shall be approved by a majority of the directors in office when the action is taken.

2.03 Standing Committees. In addition to the Executive Committee, the following Standing Committees shall exist:

- a. Finance;
- b. Virginia Fire Rescue Conference Planning;
- c. Health & Safety;
- d. Membership;
- e. Professional Development;

2.04 Ad Hoc Committees. Ad Hoc Committees will be established on an as needed basis.

2.05 Committee Composition

- a. **Finance Committee.** A standing Finance Committee shall consist of three Board Members and the Treasurer. . The Finance Committee shall prepare in conjunction with the Staff the recommended annual budget for the Corporation. The Executive Officer's will adopt by majority vote the final budget for the Corporation.

b. **Virginia Fire/Rescue Conference Planning Committee.**

A standing Conference Planning Committee shall exist, composed of the following:

- 1) PR & Marketing Director
- 2) Chairman of the Professional Development Committee
- 3) Chairman of the Exhibitor Sub-Committee,
- 4) Chairman of the Finance Committee
- 5) Executive Director
- 6) Two Board of Directors appointed by the President.
- 7) Two members at large

c. **Health and Safety Committee**

The Standing Health and Safety Committee shall consist of three Directors and three members appointed by the President.

d. **Membership Committee**

The Standing Membership Committee shall consist of three Directors and three members appointed by the President

e. **Professional Development**

The Standing Professional Development Committee shall consist of the following and appointed by the President:

- 1) Three Directors
- 2) Three Members at Large
- 3) Two representatives from Department of Fire Programs
- 4) Two representatives from Office of EMS
- 5) Three At Large

f. **Committee Chairs**

All Committee Chairs will be appointed by the President.

2.06 All contractual agreements in connection with any conference of the Corporation will be executed by the Executive Director with the approval of the President.

2.07 Authority of Sections and Committees. If the Board so specifies, each section or committee may exercise the authority of the Board, except that a section or committee may not:

- a. Approve action that is required by law to be approved by the Board;
- b. Fill vacancies on the Board or on any of its sections or committees;
- c. Amend the Articles of Incorporation;

- d. Adopt, amend, or repeal these Bylaws; or
- e. Approve a plan of merger not requiring Board approval.

The creation of, delegation of authority to, or action by a section or committee does not alone constitute compliance by a director with the standards of conduct required of a director.

2.08 Committee Meetings; Miscellaneous. The provisions of these Bylaws, which govern meetings, action without meetings, notice and waiver of notice, and quorum and voting requirements of the Board shall also apply to committees of directors and their members.

2.09 Annual Virginia Fire/Rescue Conference. The Annual Conference of the Corporation shall be held as recommended by the Conference Planning Committee and approved by the President, after consulting with the Executive Officers. Nothing in this section shall be construed as prohibiting the President and Directors, in case of extenuating circumstances, from changing the place and/or time of the Annual Conference or other meetings.

ARTICLE III EXECUTIVE OFFICERS/STAFF

3.01 Executive Officers. The officers of the Corporation shall be a Chairman (who is the President), a First Vice President, a Second Vice President, a Treasurer, two existing Directors that are appointed by the President, the immediate Past President, Executive Director (ex officio), the PR & Marketing Director (ex officio), Administrative Assistant (ex officio) and, at the discretion of the Board, other Directors as may be deemed necessary or advisable to carry on the business of the Corporation. Any two or more offices may be held by the same person. Officers must be an Active Constituent, a Life Constituent, or an Honorary Constituent in good standing.

3.02 Election; Term. Officers/Directors shall be elected at the December meeting of the Board and take their seat the following February after being installed. Term in office shall be no more than one year. They may be elected at such other time or times as the Board shall determine. Any Officer/Director may resign at any time upon written notice to the Board, and such resignation shall be effective when notice is delivered unless the notice specifies a later effective date.

3.03 Removal of Officers. The Board may remove any Officer, Director or Member at any time, with or without cause.

3.04 President. The Chairman shall be the President and Chief Executive Officer of the Corporation. The Chairman shall preside over all meetings of the Corporation and its Board of Directors, appoint all committees, make an annual report to the Constituents in assembly and make such recommendations as deemed advisable in the interest of the Corporation. The President and the other officers shall have such powers

and duties as generally pertain to their respective offices as well as such powers and duties as the Board may delegate to such officers from time to time. The President, if he is present, shall be chairman of all meetings of the Board, as well as any committee of which he is a member, unless the Board provides otherwise.

3.05 First Vice-President. In the absence or inability of the President to perform the duties of office, the First Vice-President shall preside at all meetings of the Board and exercise all powers of the President. He shall assist the President in conducting the business and the policies of the Corporation. The First Vice-President shall perform such other duties as may be prescribed by these Bylaws or the Board.

3.06 Second Vice-President. In the absence or inability of the President and the First Vice-President to perform the duties of office, the Second Vice-President shall preside at all meetings of the Board and exercise all powers of the President. He shall assist the President and First Vice-President in conducting the business and the policies of the Corporation. The Second Vice-President shall perform such other duties as may be prescribed by these Bylaws or the Board.

3.07 Treasurer. The Treasurer shall have charge and custody of the funds, securities, and other like property of the Trust. He shall endorse for deposit such checks, notes, and bills as may be required for the business of the Trust. He shall also have authority to collect the funds of the Trust, and shall deposit same in such bank or banks as the Board may designate, and the same shall not be drawn therefrom except by checks to be signed in the manner designated herein or by the Board. At each meeting of the Board and at the Annual Conference, a full report shall be made on the financial condition of the Corporation, including a summary of all revenue receipts and fund disbursements. The Treasurer shall make a full report to the governing body of each Section the financial condition of the Section at each meeting of the section governing body. The Treasurer shall advise the Board at each meeting, or sooner if appropriate, of any deviations from the approved Corporation budget. The Treasurer shall advise the governing body of each Section at each meeting, or sooner if appropriate, of any deviations from the approved Section budget. An audit of the books and accounts shall be required by the President and the Board of Directors. A bond may be required to be executed in a sum designated by the President and Board of Directors to the Corporation for the security of all funds. The bond shall be filed with the President. All property, books and records are and shall remain the property of the Corporation.

3.08 The Administrative Assistant. The Administrative Assistant shall be authorized to sign documents on behalf of The Corporation at the direction of the Executive Director.

3.09 Administrative Staff. The Staff shall be selected by the Board of Directors. The Administrative Staff and the Treasurer shall receive for compensation for service, payable from the funds of the Corporation, as determined by the Board of Directors. The Staff may be an individual, an association management firm or another entity, or

a combination thereof as deemed necessary by the Board. The Staff shall have the responsibility of preparing (or having prepared) and maintaining custody of minutes of meetings and authenticating records of the Corporation. The Staff shall keep a roster of the names of the individuals who compose the constituency of the Corporation; shall collect the membership dues and issue all warrants and vouchers for the payment of all funds expended by the Corporation; shall cause to be prepared and issued to the members and to all others to whom directed by the President, a report of each Annual Conference within ninety (90) days of its close; shall collect all funds due the Corporation from all sources; and shall keep a true and correct account of all funds received and disbursed, and pay no money except on a proper warrant. No funds shall be disbursed unless the President, Treasurer, or Executive Director approves such disbursement. All funds belonging to the Corporation shall be deposited in a chartered bank or suitable financial institution as approved by the President and the Board of Directors; the deposit being in the name of the Corporation. The Corporation may invest funds in banks, investment pools, and other prudent and reliable instruments as approved by the President and the Board of Directors. An audit of the books and accounts may be required by the President and the Board of Directors. All property, books and records are and shall remain the property of the Corporation. The Staff shall employ such assistance as deemed necessary in the Staff's reasonable discretion for the proper recording of the proceedings of the Annual Conference; and the assistance shall be paid for by the Corporation. The Staff shall also have the authority, with the approval of the President, to engage assistance at any other time deemed necessary for the proper discharge of business of the Corporation; shall at each Annual Conference, present a written or printed statement of the work discharged during the preceding term; and shall perform such other duties as the President and the Board of Directors shall require.

ARTICLE IV CONSTITUENTS.

4.01 Constituent Categories. The Constituents (the "Constituents") of this Corporation shall be placed in one of the following six categories: Active Constituents; Affiliate Constituents; Department Constituents; Sustaining Constituents; Life Constituents; and Honorary Constituents (all categories together shall constitute the "Constituency"). Constituents may request membership in an existing section of the Association when they submit their dues for payment to the Association.

4.02 Active Constituents. Chiefs, Deputy Chiefs, Assistant Chiefs, Shift Commanders, Company Officers, Duty Officers, and all other current and past officers or other individuals in similar positions in organized fire departments of political subdivisions operating under the laws of the Commonwealth of Virginia, or other such persons of departments in industrial, military, or other not-for-profit fire organizations as approved by the Board of Directors, shall be eligible for Active Constituency upon payment of annual dues.

Active constituents shall be entitled to vote on all matters requiring a vote unless otherwise prohibited by the Bylaws of this Corporation. Situations not covered in this section will be referred to the Executive Committee for resolution.

4.03 Affiliate Constituents. The Board of Directors may qualify other persons interested in the goals and objectives of the Association who do not qualify for Active Constituency as described above. Upon payment of annual dues, such constituents shall be entitled to participate in the Association. Affiliate Constituents shall be entitled to vote on all matters requiring a vote unless otherwise prohibited by the Bylaws of this Corporation. Affiliate Constituents shall be entitled to all rights and privileges of the Constituency except the right to hold office. Situations not covered in this section will be referred to the Executive Committee for resolution. *E.g. Section Constituents, firefighters, etc.*

4.04 Sustaining Constituents. Persons, firms, and corporations engaged or interested in fire protection, suppression, the sale or manufacture of fire apparatus, equipment, devices or general fire department supplies shall be eligible as a Sustaining Constituent upon the payment of annual dues. Such constituents shall be entitled to all rights and privileges of the Association except the right to vote and hold elective office. Firms and corporations will not be covered by the Accidental Death & Dismemberment Insurance Program. Only individual members are covered.

4.05 Life Constituents. A Active or Affiliate Constituents may become a Life Constituent upon their retirement from office provided that (i) they have been a constituent of the Corporation continuously for ten (10) years immediately preceding their retirement; (ii) that they are not identified with fire protection from a commercial standpoint; and, (iii) such constituent has been recommended by the Executive Officers and approved by at least 75% of the constituents present and voting at any conference of the Corporation when such recommendation is made. Any constituent so elected shall be exempted from the payment of annual dues for life.

4.06 Honorary Constituents. Honorary Constituents shall consist of individuals, firms and corporations interested in the protection of life and property against fire. Honorary Constituents shall be recommended by the Executive Officers and approved by at least 75% of the Constituents present and voting at any conference of the Corporation. Any Constituent so elected shall be exempted from the payment of annual dues for life. Honorary Constituency may also be conferred on any person who has rendered conspicuous service to the Corporation, provided that such Constituent shall be recommended by the Executive Officers and approved by at least 75% of the Constituents present and voting at any conference of the Corporation where such recommendation is made. Such constituents shall be entitled to all rights and privileges of the Association except the right to vote or hold elective office. Honorary Constituents will not be covered by the Accidental Death & Dismemberment Insurance Program.

4.07 Voting Constituents. The term “Voting Constituents” shall mean all Active Constituents, Affiliate Constituents, Departmental Constituents (as outlined), and Life Constituents. Constituents shall have the right to vote or consent as set forth in these Bylaws or as submitted to them in the Executive Officers’ discretion.

4.08 Expulsion of Constituents. The Board of Directors shall have the authority to expel from the Association any constituent guilty of any violation of the principles of the Association as expressed in these by laws. Grounds for expulsion include, but are not limited to:

- a. Misrepresentation of qualifications for constituency.
- b. Bringing discredit to the Association.
- c. Conduct unbecoming an officer of the fire service.
- d. Conviction of a felony.

When there is reasonable basis for the belief that a constituent is guilty of a violation, the Board of Directors shall summon such constituent for an appearance before them. At this time, the constituent so summoned shall be given the opportunity to show cause why he/she should not be expelled. After the constituent has presented a defense, the Board of Directors shall vote on whether the constituent should be expelled from the Association. A majority of the Board of Directors present must vote for expulsion before the constituent may be expelled. The vote shall be conducted by secret ballot. An expelled constituent forfeits all the privileges of the Association. Should the constituent fail to attend the show cause hearing, said constituent forfeits all rights to such a hearing and is automatically expelled.

4.09 Dues. Membership dues of the Corporation shall be recommended by the Executive Officers and approved by at least 75% of the Constituents present and voting on at the February meeting.

4.10 Vacant

4.11 Constituents in Arrears for Dues or Assessments.

- a. Any Member of the Board of Directors who is in arrears for dues or assessments more than sixty (60) days shall not be entitled to vote or other benefits of VFCA membership. Any Director in arrears for dues or assessments for more than ninety (90) shall, after a dues notice, be removed from the Board of Directors and membership.

- b. Any VFCA Member who is in arrears for dues or assessments more than sixty (60) days shall not be entitled to benefits of membership. Any member in arrears for dues or assessments for more than ninety (90) shall, after a dues notice, be removed from VFCA Membership.

4.12 Conference Registration Fees. The Corporation shall, through the President and the Board of Directors, have full authority to levy and collect conference registration fees sufficient to defray all the expenses of the Annual Conference.

4.13 Application for Constituency. Application to become a Constituent of the Corporation may be made to the Staff at any time.

4.14 Votes Conducted by Ballot. In the event that an urgent question arises which necessitates an expression of opinion by the Constituency, and such question is not of sufficient importance to summon an emergency meeting of the Corporation, the President shall have the authority to direct the Staff to have printed and mailed to each Constituent entitled to vote, a ballot and to name a date upon which such ballot shall be returned to the Staff. The Staff shall then count the ballots and declare the results to the President. The Staff shall then preserve the ballots until the close of the next conference in case a recount shall be required.

ARTICLE V RULES OF ORDER AT MEETINGS.

5.01 Presiding Officer. The Presiding Officer shall preserve order and demeanor and shall take no part in debates while presiding. All questions of order shall be decided by the Presiding Officer subject to an appeal to the conference, and upon such appeal the vote shall be taken without debate. The Presiding Officer may state the reasons for the decision given and shall put the question as follows: "Shall the decision of the chair be sustained?" At least 66 2/3% of those Constituents voting shall be necessary to reverse the decision of the Chair.

5.02 Procedure for Making Motions. Every Constituent who speaks or offers a motion shall rise in place, state his or her name and place of residence and respectfully address the Presiding Officer. When speaking, the Constituent shall confine his or her remarks to the question under debate and avoid all personal and/or derogatory language. If required, the Constituent shall put motions in writing. When finished speaking, the Constituent shall at once sit down.

5.03 Entitlement to the Floor. When two (2) or more Constituents rise to speak at the same time, the Presiding Officer shall decide who is entitled to the floor.

5.04 Constituent Called to Order. A Constituent called to order shall immediately cease speaking and resume sitting until the point of order in question has been decided. The Constituent then shall be entitled to the floor.

5.05 Motion to Take the Previous Question. A motion to take the previous question must be put without debate and shall always be in order, except when a Constituent is in possession of the floor. The motion to take the previous question shall be declared carried when supported by a majority of the Constituents present and voting. No further debate or amendments shall be in order until the main question shall have been decided.

5.06 Motion to Adjourn. A motion to adjourn shall always be in order except when a Constituent is in possession of the floor, or a vote is being taken, or it has been decided that a vote be taken. A motion to adjourn is not debatable but a motion to adjourn to a given time is open to debate.

5.07 Procedural Questions not Previously Covered. For any question coming before the conference for which no provision has been made in this document, the Presiding Officer shall be guided by the rules set forth in the current edition of Robert's Rules of Order, Newly Revised.

ARTICLE VI OATH OF OFFICE.

6.01 Installation of Officers. The installation of officers of the Corporation shall take place at the Annual Conference with appropriate ceremonies and officers swearing to the following oath of office: "I, _____ hereby swear that I will support the Bylaws of the Virginia Fire Chiefs' Association, Inc., at all times and I further swear to perform the duties and responsibilities of my office to the best of my ability, so help me God."

ARTICLE VII MISCELLANEOUS PROVISIONS.

7.01 Corporate Seal. The corporate seal of the Corporation shall be circular and shall have inscribed thereon, within and around the circumference "Virginia Fire Chiefs Association, Inc.." In the center shall be the word SEAL."

7.02 Fiscal Year. The fiscal year of the Corporation shall be the period beginning January first of each year and ending December thirty first.

7.03 Interpretation. For purposes of construing these Bylaws, unless the context indicates otherwise, words in the singular shall be deemed to include words in the plural and vice versa, and words in one gender shall be deemed to include words in the other gender.

7.04 Amendments. These Bylaws may be amended or repealed, and new Bylaws may be made at any regular or special meeting of the Board. The Board may make new Bylaws and may repeal or change any existing Bylaws. The Corporation shall have full power at any Annual Conference to alter, amend or revise these Bylaws, provided that notice of such alteration, amendment or revision shall have been given in writing to the President of the Corporation at least sixty (60) days prior to the Annual Conference. The Staff shall see that all Constituents of the Corporation have at least thirty (30) days notice of such proposed alteration, amendment or revision prior to the opening of the Annual Conference. At least 66 2/3% of the Constituents entitled to vote, and who are present and voting, shall be necessary for the adoption of any such alteration, amendment, or revision. Nothing contained in this section shall prevent the Corporation, assembled in conference, from altering, amending or revising any part of these Bylaws upon at least 80% of the Constituents present and voting at any conference of the Corporation.

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| Amended: Jul 8, 1993 | Amended: Oct 23, 2002 | Amended: Sep 16, 2008 |
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