**EMERGENCY MANAGEMENT ASSOCIATION OF TEXAS CONSTITUTION AND BYLAWS,**

**AS AMENDED**

**Article I Name**

The name of this corporation shall be the Emergency Management Association of Texas, hereafter referred to as EMAT.

**Article II Not-For-Profit Corporation**

EMAT is incorporated in the State of Texas and is a 501c(6) organization as defined by the Internal Revenue Service.

**Article III Purposes**

1. The Purpose of EMAT as stated in the Articles of Incorporation, are:
	1. EMAT shall enhance public safety through training and providing support to certification and training programs. This will be accomplished by fostering best practices, information exchange, and promoting professional leadership, and educational programs in order to advance the professionalism of persons engaged in emergency management and disaster preparedness.
	2. EMAT will establish relationships between public and private agencies, and strengthen intergovernmental, inter-agency and multi-disciplinary liaisons as they relate to integrated, comprehensive emergency management.
	3. No part of the net earnings of EMAT shall be used to the benefit of any private shareholder or any individual. The property of EMAT is irrevocably dedicated to charitable purposes and upon liquidation, dissolution, or abandonment of the owner, after providing for the debts and obligation thereof, the remaining assets will not be used to the benefit of any private person but will be donated to the International Association of Emergency Managers (IAEM) Student Scholarship Fund.

**Article IV Duration**

The period during which EMAT is to continue as a corporation is perpetual.

**Article V Membership**

1. Eligibility
	* + 1. EMAT is an equal opportunity corporation, open to any individual or organization significantly engaged in or directly supporting Emergency Management, Homeland Security, Business Continuity/Continuity of Operations, Civil Defense, Public Safety and/or Disaster and Emergency Preparedness, Response, Recovery, and Resilience.
			2. Membership in EMAT is not transferable and cannot be reassigned.
2. Voting Member Classes
	* + 1. Delegate Membership
				1. Membership will be determined by professional location and shall be extended to paid or volunteer members of:
3. Government Emergency Management, Homeland Security, and/or Emergency Preparedness, Response, Recovery, and/or Resiliency program (or other named agency/organization with the same mission as these stated organizations).
4. Texas Institutions of Higher Education Emergency Management Programs.
5. Public Education (K-12), Independent School District, Educational Service Center Emergency Management Programs.
6. Recognized Private Sector Emergency Management programs.
7. Non-Governmental Organizations that support/cooperate with and/or partner with a recognized Emergency Management organization or agency.

2) Each Delegate member shall have one vote.

* + - 1. Corporate Membership
				1. Membership shall be extended by the Board of Directors to any governmental agency or private sector organization that extends its support for EMAT and the concept of public safety, homeland security, and emergency management.
				2. Each Corporate membership shall have one vote.
1. Non-Voting Member Classes
	* + 1. Life Membership
				1. Nominations for Life membership may be made by any delegate member in good standing. The nominee must have been a delegate member in good standing for at least ten (10) years and who retires or leaves the profession of Emergency Management, Homeland Security, and/or Emergency Preparedness, Response, Recovery, or Resilience.
2. Life membership nominations may be reviewed and/or granted by the Board of Directors at any scheduled meeting.

3) Once approved by the Board of Directors, Life membership may be extended by the Board of Directors.

* + - 1. Affiliate Membership

1) Affiliate membership shall be offered by the Board of Directors to each Emergency Management Director (County Judge and Mayor), as defined by Section 418 of the Texas Government Code.

C. Student Membership

1. Student membership shall be offered by the Board of Directors to a Texas resident currently enrolled full-time in a Texas post-secondary institution, studying public safety, emergency management, homeland security, or a related discipline.
2. Students must be either enrolled full-time, or enrolled part-time and not working full-time.
3. Student membership is available up to six years. Any request for an extension to the six-year limitation or exception to the work limitation must be submitted in writing and approved by the Board of Directors. Only a single one-year extension or work limitation exception shall be granted by the Board of Directors.
4. Dues and Fees
	* + 1. Dues shall be established in a manner as identified in the Administrative Policies and Procedures and at a level sufficient to cover the Association's administrative costs.
			2. Membership dues are paid consistent with the fiscal year of EMAT. All dues and fees shall be paid by January 1 of each year and are considered delinquent after January 31. All classes of membership forfeit active membership status if dues payment is delinquent.
			3. Late charges will be assessed on delinquent dues as follows:
5. 25 percent if delinquent between 31 to 60 days,

2) 50 percent if delinquent between 61 to 90 days,

1. 75 percent if delinquent 90 to 120 days.
	* + 1. Active membership is required to acquire and maintain the Texas Emergency Manager© Certification.
2. Voting
	1. Each voting member, as defined in Article V.2, shall be entitled to one vote. Proxy votes are prohibited and shall not be recognized.
	2. Electronic voting is permitted in accordance with procedures established by the Board of Directors and the Bylaws.
	3. Voting members whose dues are delinquent shall lose their right to vote.
3. Elections
	1. Nominations
		* + 1. In January of each election year, the Nominations Committee shall submit to the Secretary/Executive Director a list of qualified candidates to be elected to the Board of Directors. Nominations shall begin on January 4 of each election year and be held open for 14 calendar days.
				2. The Secretary and Executive Director shall validate candidates in accordance with the EMAT Board of Directors Nomination policy.
				3. An electronic ballot shall then be created and distributed to the EMAT membership. Electronic voting shall be open for a period of 20 days.
				4. If only one nomination is received for an office, the candidate shall be elected by acclamation.
	2. Conduct of Elections
		* + 1. A general election will be held each even-numbered year for the purpose of filling positions as identified in Article VII.1.
				2. All elections for the Board of Directors will be conducted electronically in accordance with procedures established by the Board of Directors.
	3. Results of Voting
		* + 1. A majority of votes cast by authorized voting members shall determine the election brought before the general membership, unless the election is one upon which either by law, the Association’s Articles of Incorporation, or these regulations requires a different procedure.
				2. Upon tally, voting results shall be reported by the Secretary and Executive Director to the President, and so announced by the President to the General Membership.
				3. When no one candidate for a specific office receives fifty percent (50%) plus one of the votes cast for that office, a run-off election shall be immediately conducted between the two candidates receiving the largest number of votes.
				4. If the run-off result is a tie, the two candidates drawing lots at the General Membership Meeting shall decide the election.
4. Membership Revocation/Termination
	1. Membership in EMAT shall be revoked or terminated for the following reasons:
5. Conviction in a State or Federal Court of Law for any crime punishable by fine or imprisonment in a State or Federal Correctional Institution or any crime of moral turpitude.

1. Revocation or suspension of any required professional license related to Emergency Management, Public Safety, or other Emergency Responder that affects the employment or potential employment of any member of EMAT.
2. Failure to abide by the Bylaws of EMAT, or intentionally engaging in any conduct or activity regarded as subversive to the purpose and objectives of EMAT.
3. Specific action by the Board of Directors, based either upon its own initiative, or upon a recommendation, in writing, by any EMAT member detailing the reason for revocation.
	1. When membership revocation/termination action is being considered, prior to such action:
		* + 1. The member will be advised electronically of the pending action and afforded the opportunity to request a hearing before the Board of Directors or present written materials to the Board pertaining to the action that may be taken.
				2. The member shall be allowed ten (10) calendar days to respond to the notice of membership revocation/termination.
				3. If no written response is received by 5:00 PM CST/CDT of the 10th day, the membership shall be automatically revoked/terminated.
	2. Members whose membership has been revoked by the Board of Directors pursuant to this section shall not be entitled nor given a refund of any dues or certification fees.
	3. [Do we want to add a provision for membership after suspension or reinstatement of professional license?]

**Article VI Regions**

* + 1. EMAT is a statewide organization divided into six (6) regions mirroring the Texas Department of Public Safety Regions, excluding the Region 7 Capitol Complex that is located in Travis County and is included in Region 6.
		2. The County groupings within each region are as follows:
			1. Region 1 – Anderson, Bowie, Camp, Cass, Cherokee, Collin, Cooke, Dallas, Delta, Denton, Ellis, Erath, Fannin, Franklin, Grayson, Gregg, Harrison, Henderson, Hood, Hopkins, Hunt, Johnson, Kaufman, Lamar, Marion, Morris, Navarro, Panola, Palo Pinto, Parker, Rains, Red River, Rockwall, Rusk, Smith, Somervell, Tarrant, Titus, Upshur, Van Zandt, Wise, Wood
		3. Region 2 – Angelina, Austin, Brazoria, Brazos, Burleson, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, Wharton
		4. Region 3 – Aransas, Bee, Brooks, Cameron, Dewitt, Duval, Edwards, Hidalgo, Jim Wells, Kenedy, Kinney, Kleberg, La Salle, Live Oak, Maverick, Nueces, Real, Refugio, San Patricio, Starr, Uvalde, Val Verde, Webb, Willacy, Zapata, Zavala
		5. Region 4 – Andrew, Borden, Brewster, Coke, Concho, Crane, Crockett, Culberson, Dawson,, Ector, El Paso, Gaines, Glasscock, Howard, Hudspeth, Irion, Jeff Davis, Kimble,, Loving, Mason, Martin, McColloch, Menard, Midland, Pecos, Presidio, Reagan, Reeves, Runnels, Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, Ward, Winkler
		6. Region 5 – Archer, Armstrong, Bailey, Baylor, Briscoe, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coleman, Collingsworth, Comanche, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Eastland, Fisher, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Hutchinson, Jack, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Runnels, Schurry, Shackleford, Sherman, Stephens, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, Young
		7. Region 6 – Atascosa, Bandera, Bastrop, Bell, Bexar, Blanco, Bosque, Burnet, Caldwell, Calhoun, Comal, Coryell, DeWitt, Falls, Freestone, Frio, Gillespie, Goliad, Gonzalez, Guadalupe, Hamilton, Hayes, Hill, Jackson, Karnes, Kendall, Kerr, Lampasas, Lavaca, Lee, Limestone, Llano, McMullen, Medina, McLennan, Milam, Mills, San Saba, Travis, Victoria, Williamson, Wilson
	1. See Addendum 1 for a map depicting the EMAT regions.

**Article VII Board of Directors**

1. General
2. The affairs of EMAT shall be under the control of a Board of Directors; all of whom shall be Delegate class members of EMAT, volunteers and neither paid personnel of EMAT nor any organization receiving financial support from EMAT, at least 18 years of age, a citizen of the United States, and a resident of the State of Texas.
3. Any member delinquent in payment of their dues or other funds due to EMAT is not eligible to serve on the Board of Directors or as an Officer.
4. The EMAT Board of Directors shall consist of:
	* + - 1. 12 Regional board members that shall consist of two (2) members from each of the six (6) EMAT regions, who are members in good standing, and elected by the delegate members of that region.
				2. Regional board positions will remain unseated if a qualified member from the region cannot be found to fill a position. At any given time, no more than four (4) board members may represent any given region.
				3. Four (4) at-large members, who shall be elected by delegate members in good standing pursuant to Article V.6.
5. One (1) corporate member, who shall be elected by the Corporate Members.
6. Duties and Responsibilities
7. The duties of the Board of Directors shall be to establish the general policies of EMAT and to manage the business affairs of EMAT.
8. Terms of Office
	1. Directors shall serve a four-year term with a two consecutive term limit.

* 1. All terms of office for the elected positions shall commence immediately following the general election and shall continue for the length of time as specified herein in Article VII.3, or until his/her successor is elected or appointed.
	2. To provide continuity, the Directors shall be appointed to staggered terms so the entire Board will never be up for re-election at any one time.
	3. Any board member elected to an officer position in the seventh year of board membership will be permitted to complete the two-year term but will not be eligible for reelection to that or any other office.
	4. Previous board members will be eligible for election to the board after a two-year absence from board membership.
1. Vacant Board Positions
	1. Any vacant positions on the Board due to lack of a qualified candidate or the departure of a current member shall be filled by vote of the remaining Directors at either the annual meeting, regular meeting, or a special called meeting.
	2. Vacancies occurring within six months of the date of elections as specified in Article VI, shall not be filled except by general election.
	3. Members elected to fill vacant Board positions shall serve the remaining term of office.
	4. Members appointed to fill a vacant Board position of two (2) years or less of the remining term shall be eligible to serve two (2) consecutive four (4) year terms if elected by the membership.
2. *Ex Officio* Members
3. The Board of Directors may select such *Ex-Officio* members of the Board as deemed appropriate.
4. The Director of the State Emergency Management Authority and the Immediate Past President of EMAT shall serve as *Ex-Officio* members of the Board of Directors.
5. *Ex Officio* members are not voting members of the Board of Directors.
6. Removal of Board Members
	1. Any Director and/or Officer may be removed by a two-thirds vote of the duly elected Directors whenever, in its judgment, the best interests of the organization would be served.
	2. Any Director, and/or Officer, who moves out of the region they represent, forfeits his/her elected position.
	3. Any Director and/or Officer who fails to pay membership dues by the deadline, attend three consecutive meetings, or who fails to fulfill the function of their office shall be removed and that position be declared vacant.

**Article VIII Member Meetings, Notices, Quorum**

1. Meetings
	* + 1. The annual meeting of the members of EMAT shall be at such place and on such month, day, and hour as the Board of Directors determine. The meeting may be conducted electronically at the discretion of the Board of Directors.
			2. Special meetings of the membership for any purpose or purposes may be called pursuant to a resolution of the Board of Directors, and shall be called by the President or Secretary at the request in writing of one-third of the directors in office, or at the written request of one-third of the voting members of EMAT. Such request shall in any case state the purpose or purposes of the proposed meeting. Business transacted at all special meetings shall be confined to the subjects stated in the call and matters germane thereto.
		1. Notice of Meetings
	1. Electronic notice of any meeting of the members, either annual or special, shall state the meeting time, date, and location shall be served by electronic means (electronic mail, telephone message center, etc.) to each member entitled to vote at such meeting, not less than three (3) but not more than forty-five (45) days before the meeting.
		1. Quorum
	2. The presence in person of not less than ten percent (10%) of the voting membership is requisite and shall constitute a quorum at all meetings of membership for the election of directors or for the transaction of other business except as otherwise provided by law or by these Bylaws.
	3. If such number of members is not present in person, those present shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present, at which time any business may be transacted which might have been transacted at the meeting as originally notified.
	4. Any action by a majority of members where a quorum is present shall be the action of the membership of EMAT.

**Article IX Meetings of the Board of Directors**

1. Meetings of the Board of Directors of EMAT shall be held at least twice a year.
2. Additional meetings may be held on the call of the President or; if he/she is absent, unable or refuses to act, by any officer, or by any five (5) directors.
3. Notice of any regular or special meeting of the directors, stating the meeting time, date, and location shall be served via electronic means upon each director not less than seventy-two (72) hours before the meeting.
4. The notice of any special meeting shall state the purpose or purposes of the proposed meeting. Business transacted at all special meetings shall be confined to the subjects stated in the call and matters germane thereto.
5. Meetings of the Board of Directors may be conducted with members being present at a meeting facility, via conference telephone call (teleconference), videoconference, or any combination thereof.
6. A quorum is required for Board meetings. The presence of not less than one-third (1/3) of the directors is requisite and shall constitute action by a majority of directors where a quorum is present and shall be the action of the directors of EMAT.
7. In lieu of a meeting, a quorum of the directors may take any action which may be taken at a meeting of the Board of Directors by each director submitting an electronic consent which sets forth the action to be taken. This action will have the same force and effect as a majority vote of the directors taken at a meeting. Such consent shall be filed by the Secretary with the minutes of the proceedings.

**Article X Officers**

1. General
	* + 1. The officers of EMAT shall be a President, a Vice-President, a Secretary, a Treasurer, and a Sergeant of Arms. All officers shall serve a two-year term pursuant to Article VII.
			2. Other officer positions may be established in accordance with the provisions of this article.
			3. Members who are delinquent in payment of dues or who have other funds due EMAT are not eligible to hold an officer position.
	1. The officers of EMAT shall be elected every two years at the annual meeting by the general membership through a popular vote process. If the election of officers cannot be held at the annual meeting, such election shall be held as soon thereafter as may be possible, pursuant to Article VI.
	2. Members must be present, either in person or via electronic means, at a Board meeting to vote.
	3. Voting by proxy is prohibited.
2. Vacancies and Removal of Officers
	1. Vacancies may be filled, or new officer positions created and filled through electronic voting of the general membership after nominations are submitted by the Board of Directors. All Officers shall serve a two-year term.
	2. Any officer may be removed by a two-thirds (2/3) vote of the EMAT board whenever, in its judgment, the interests of the organization would be served.
	3. The motion to remove a Director will be presented to the Executive Committee. The vote to remove an officer requires a face-to- face meeting of the Directors (meetings conducted using video conferencing facilities are considered face-to-face) meeting of the Directors.
3. Duties and Responsibilities of Officers
	1. The President, or in his/her absence, the Vice-President shall preside at all meetings of members and of the Board of Directors and shall perform the duties usually devolving upon a presiding officer.
	2. The President shall be the principal officer of EMAT and shall in general supervise all of the business and affairs of the organization as may be prescribed by the Board of Directors. The President may sign, upon approval of the Board of Directors, any deeds, mortgages, bonds, contracts, or other instrument.
	3. In the absence of the President, or in the event of the President’s inability to act, the Vice- President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all of the restrictions upon the President. The Vice-President shall perform such other duties as from time to time may be assigned by the President and/or by the Board of Directors.
	4. The Secretary shall attend all meetings of the Board of Directors and shall act as clerk of each meeting, recording all votes and preparing the written minutes of all proceedings.
	5. The Secretary shall give notice of all meetings of members or of the Board of Directors when notice is required by these Bylaws.
	6. If required by resolution at any annual or special meeting of members, the Secretary shall give notice of meetings or committees of members or of the Board of Directors.
	7. The Secretary shall receive minutes and reports of EMAT committees.
	8. The Executive Director of EMAT shall have custody of the original copy of the Bylaws and any amendments thereof.
	9. The Treasurer shall be the custodian of all funds and securities of EMAT and shall keep full and accurate accounts of receipts and disbursements of EMAT’s financial business and shall deposit all monies and other valuable proceeds in the name and to credit of EMAT in such depositories as may be designated by the Board of Directors. The Treasurer shall disburse the funds as may be ordered by the Board of Directors.
	10. The Treasurer shall attend Board meetings and provide a report of all transactions and a status of the financial condition of EMAT.
	11. The Sergeant of Arms shall maintain order during the meetings and perform other duties assigned by the President or approved by the Board.
	12. The Board of Directors may require the Treasurer, any other officer, or any employee of EMAT to secure a bond, fee paid for by EMAT, in a sum and with one or more sureties satisfactory to the Board of Directors, conditioned upon the faithful performance of the duties of his/her office and for the restoration to EMAT in case of death, resignation, retirement or removal from office of all papers, vouchers, money and other property of whatever kind in his/her possession or under his/her control belonging to EMAT.
	13. The Board of Directors shall cause the financial records to be internally audited annually.

**Article XI Committees**

* + 1. Executive Committee
			1. The Executive Committee shall consist of the officers of EMAT, the Immediate Past President, and the Executive Director; both of whom are non-voting members.
			2. Except as otherwise provided by statute or these Bylaws, a quorum of the Executive Committee shall have and may exercise the authority of the Board of Directors in the management of EMAT between meetings of the Board of Directors.
			3. The Executive Committee shall perform any specific function assigned to it by the Board of Directors.
			4. The President shall serve as chair of the Executive Committee, or in his/her absence, the Vice-President.
			5. The Executive Committee shall have power to make rules and regulations for the conduct of its business. A majority of voting members of the Executive Committee members thereof shall constitute a quorum.
			6. The Executive Committee shall keep regular, written minutes of its proceedings and report same to the Board of Directors.
			7. The Executive Committee will annually, prior to the beginning of the new Fiscal Year, shall receive the operating budget of EMAT and submit it to the Board for approval.
		2. Standing Committees
1. The Standing Committees of EMAT authorized by the Board of Directors are: Awards, Communications, Legislative, Membership and Marketing, Public Private Partnership, Symposium, and Training.
2. Committee Chairs and/or Co-Chairs are appointed by the President.
3. The number of members serving on committees are authorized by the Board. The members are appointed by the Committee Chair at his/her discretion.
4. Any member in good standing may serve on a committee.
5. *Ad Hoc* Committees
	1. *Ad Hoc* committees may be created by the Board for a specific purpose.
	2. When necessary, for election purposes, a Nomination Committee Chair will be appointed by the President prior to January 1 of each year.
	3. When necessary, but not less than every two years, the Bylaws Committee shall meet to review and, if necessary, revise the Bylaws of the organization.
6. Texas Emergency Manager© Certification Commission
	1. The Certification Commission is chaired by the Vice-President, who selects the members.
	2. When necessary, at least three of the Certification Commission members shall electronically review certification application packets.
	3. Commission members are prohibited from reviewing the certification application packets of applicants who work in the same jurisdiction or organization.
7. All reports and acts of EMAT committees shall be subject to approval of the Board of Directors.
8. The Chair of committees, who are not already serving on the Board of Directors, shall be eligible to attend and advise at meetings of the Board of Directors.

**Article XII Executive Director**

* + 1. The Board of Directors shall appoint, contract, and employ an Executive Director who shall be the general manager and fiscal agent responsible for administration of EMAT’s programs, finances, and personnel within the framework of the policies, principles, and practices established by the board. This shall include, but not be limited to: staffing, job classification, and other responsibilities incident to a chief executive officer of a business corporation.
1. The Executive Director shall employ and discharge such staff as he/she deems necessary in accordance with budget provisions and personnel policies and practices authorized by the Board of Directors.
2. The Executive Director shall be responsible for the administrative management of the affairs of EMAT subject to the approval of and direction of the Board of Directors and be responsible to work within an approved budget established by the board.
3. The Executive Director shall report to the President.

**Article XIV Fiscal Year**

The fiscal year of EMAT shall be the calendar year.

**Article XV Nondiscrimination**

The members, officers, directors, committee members, employees, and persons served by EMAT shall be selected entirely on a nondiscriminatory basis regardless of race, creed, sex, national origin, age, religion, disability, marital status, or any other classification protected by law.

**Article XVI Amendments**

1. The Bylaws of EMAT may be altered or repealed by the members by the vote of the majority present at any annual or special meeting called for that purpose.
2. The Board of Directors shall have the power to make, alter, amend or repeal the Bylaws of this corporation by a two-thirds (2/3) vote of the entire board at any regular or special meeting thereof where notice of such proposed action has been announced in the notice of such meeting.
3. Any amendments, alterations, changes, additions or deletions from these Bylaws, whether made by the members or the Board of Directors, shall be consistent with the laws of this state, which define, limit, or regulate the powers of EMAT or the directors of EMAT.

**XVII Logo/Seal**

* + 1. The membership shall approve the logo/seal for EMAT. The board is authorized to develop utilization regulations of said design.
		2. The board shall establish procedures for the sale of promotional items and shall approve or reject all applications and associated pricing of any and all promotional items.

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The original Bylaws were passed and approved by the Board of Directors of the Emergency Management Association of Texas, State of Texas, on April 3, 1992.

Amendments were recommended and approved by the general membership on February 23, 1993. The Board of Directors revised the Bylaws on October 3, 1994; October 31, 1995; February 16, 1998; February 1, 1999; February 21,

2001; February 11, 2002; March 26, 2003; November 8, 2004; and September20, 2007; August 29, 2010; July 24, 2012; and October 5, 2017. The original signed copies of the Bylaws and amending documents are maintained by the Executive Director.

**ADDENDUM 1 EMAT REGIONS**