

**BY-LAWS**  
*of the*

***North American Interstate Weather Modification Council***

*(As amended and adopted by the membership on April 18, 2006)*

**ARTICLE I. NAME**

This organization shall be known as the North American Interstate Weather Modification Council.

**ARTICLE II. PURPOSE**

SECTION 1. *Operations.* The Council shall assist governmental, public and private organizations in planning, design, implementation, coordination, and assessment of on-going, temporary, and emergency weather modification operations which are planned with the intent or conducted with the effect of causing international, national, interstate, or intrastate consequences. The Council shall promote effective partnerships among various agencies conducting weather modification operations, and shall assist in integrating weather modification operations with water resources development and other activities affected by weather modification activities. It shall make appropriate recommendations in order to promote these purposes.

SECTION 2. *Research and Development.* The Council shall assist governmental and private organizations in planning, design, implementation, coordination, and assessment of weather modification research and development. It shall promote common research concerning weather modification activities and their environmental and societal consequences. The Council shall provide a forum for the exchange of experience, data, and information about weather modification.

SECTION 3. *Public Involvement.* The Council shall seek to provide information for and engage in discussion within (1) public officials, (2) persons involved in weather modification activities or who demonstrate an interest in the effects of weather modification, and (3) the general public. It shall voice the needs and views of the member jurisdictions, and it shall develop public education programs.

SECTION 4. *Legislation.* The Council shall assist national governments, member state or provincial governments, and groups of member state or provincial governments in preparation, review, and alteration of treaties, statutes, compacts, and administrative rules and regulations. It shall work for the passage of legislation which is responsive to local, state, interstate, national, and international concerns.

SECTION 5. *Regulation.* The Council shall assist member regulatory agencies in maintaining a high level of integrity and professional competency among weather modifiers. It shall assist

member regulatory agencies in coordination of their professional licensing and operational permit issuing functions. It shall serve as a clearinghouse for environmental impact statements relating to weather modification and for such other data and information as will assist member regulatory agencies.

SECTION 6. *Miscellaneous.* The Council shall serve such other purposes relating to the development, operation, and control of weather modification as are consistent with those purposes expressly named in this article. Such purposes shall be stated by resolution adopted at annual, regular, or special meetings of the Council.

### **ARTICLE III . MEMBERSHIP**

SECTION 1. *Full Member.* Full membership is available to all States and territories of Mexico and the United States of America, and to all Provinces of Canada. Full membership may be granted to that state or provincial agency having regulatory and/or operational control of weather modification activities in that state or province. Each jurisdiction electing to become a Full Member of the Council shall affirm its decision by informing the Council of its support and by submitting an application for review and approval by the Council. Upon approval of its application an agency shall appoint a delegate and an alternate to the Council, and make payment of dues to the Council. At meetings of the Council each Full Member state shall have 1 vote.

SECTION 2. *Associate Member.* Associate membership is available to any state or provincial weather modification association, if that state or province is a Full Member of the Council. Each association or project sponsor electing to become an Associate Member of the Council shall affirm its decision by informing the Council of its support and by submitting an application for review and approval by the Council. Upon approval of its application an association or sponsor shall appoint a delegate and an alternate to the Council, and make payment of dues to the Council. In the event an association=s state is not a Full Member of the Council, an association may still request to join the Council as an Associate Member. In this situation the association should submit with its application some written evidence that the state or provincial agency involved with weather modification regulation approves of the association=s membership on the Council. The Council will then determine if the association may join as an Associate or an Affiliate Member (SECTION 3). At meetings of the Council each state=s Associate Member(s) shall collectively have 1 vote, regardless of number.

SECTION 3. *Affiliate Member.* Affiliate membership in the Council is available to: national, provincial, and state agencies other than those being eligible for full or associate membership; political subdivisions within provinces or states; professional organizations; scientific societies; and associations that do not qualify for full membership or associate membership. The Board may create different classes of affiliate members. Each jurisdiction, agency, organization, or society electing to become an affiliate member of the council shall affirm its decision by informing the Council of its support and by submitting an application

for review and approval by the Council. Upon approval of its application the organization shall appoint a delegate and an alternate to the Council, and make payment of dues to the Council. At meetings of the Council Affiliate Members shall not vote.

## **ARTICLE IV. ORGANIZATION STRUCTURE**

SECTION 1. *Officers.* The Council shall have a Board of Directors (Board) consisting of the voting membership of the Council. The officers of the Board shall consist of a Chair, a Vice-Chair, and a Secretary-Treasurer to be elected by and from the Board. The composition and duties of the Board are described in Article IV, Section 2 (4).

SECTION 2. *Duties and Powers of Officers.*

- (1) *Chair.* The Chair shall preside at annual, regular, and special meetings of the Council and the Executive Committee. The Chair shall appoint members and chairs of all committees, except the Executive Committee. The Chair shall have such other powers as shall be delegated to this person by the Council, or the Executive Committee, and shall have such other powers as are necessary and proper to exercise the powers herein granted or otherwise delegated to the Chair.
- (2) *Vice-Chair.* In the absence of the Chair, the Vice-Chair shall preside at annual, regular, and special meetings of the Council and the Executive Committee. In the event of the resignation of the Chair, or should the Chair be unable to serve, the Vice-Chair shall become Chair of the Council.
- (3) *Secretary-Treasurer.* The Secretary-Treasurer shall be the custodian of the records of the meetings of the Council and the Committees. The Secretary-Treasurer shall keep minutes of the annual, regular, and special meetings of the Council and the Executive Committee, and shall provide the delegates to the Council with copies of summaries of such minutes. The Secretary-Treasurer shall receive and disperse the funds of the Council. The Board may authorize the Secretary-Treasurer to delegate performance of assigned functions or a portion of them to employees of the Council. In such case, the Secretary-Treasurer shall be responsible for reviewing performance of such functions.
- (4) *Board of Directors (Board).* The Board will consist of the voting members of the Council (Full Members and Associate Members). Consistent with the By-Laws and resolutions of the Council, the Board shall establish the policies of the Council and act on its behalf. The Board may propose amendments to by-laws and resolutions for adoption by delegates to the Council. The Board may employ an Executive Director for the Council, and may delegate to this person such functions as it deems appropriate, including the authority to select and supervise employees of the Council.

SECTION 3. *Selection and Term of Office.* Officers shall be elected from the members of the Board at the annual meeting of the Council and shall serve until their successors are installed at the next annual meeting of the Council. Officers shall be eligible for re-election.

SECTION 4. *Meetings of the Officers and Committees.* The Council, including the Board, the Executive Committee, and other committees of the Council shall conduct an annual meeting. They may conduct other regular meetings, and, upon call of their presiding officer, they may conduct special meetings. Notice, of at least 30 days in advance and concerning meeting times, places, and agenda, shall be given to members of the Board and of committees by their presiding officers.

SECTION 5. *Committees.* The Council shall have an Executive Committee consisting of the Chair, the Vice-Chair, the Secretary-Treasurer, and the most recent past Chair. In the event the most recent past Chair is no longer a member of the Council, or is unavailable to serve on the Executive Committee, the Chair may appoint a member of the Board to fill this Executive Committee position on an interim basis.

The Council shall also have a Nominating Committee, a Committee on By-Laws, and such other regular and *ad hoc* committees as may be created by the Board or the Chair. Membership on committees, other than the Executive Committee, is open to delegates or alternates of Full Member states or provinces and also to delegates or alternates of Associate Members. Committees, subject to the approval of the Executive Committee, may select non-member advisors. The Executive Committee may act on behalf of the Board between meetings of the Board. Such actions are subject to ratification by the Board. The Executive Committee shall exercise such other functions and possess such other duties and powers as are delegated to it by the Council and the Board.

At the discretion of the Board a Nominating Committee may be appointed by the Chair. In the event of its formation the Nominating Committee shall prepare for the annual meeting of the Council a slate of Officers to be voted upon by the delegates or their alternates. The Committee shall secure in advance from each person nominated an agreement to serve as an Officer.

The Committee on the By-Laws shall review the By-Laws at least annually and shall make any appropriate recommendations for changes to the Council at the annual meeting of the Council. Other committees shall exercise such functions and possess such duties and powers as may be delegated to them by the Council or the Board.

## **ARTICLE V. MEETINGS**

SECTION 1. *Annual Meeting.* The Council shall hold an annual meeting. Notice shall be given at least 30 days in advance to members of the Council, as well as non-member states and provinces, concerning the time, place, and agenda of the annual meeting. At that time, they may be extended new invitations to become regular members of the Council.

Election and installation of officers shall take place at the annual meeting. At the annual meeting each delegate or alternate shall be entitled to the following vote: Each Full Member state, 1 vote. Each state=s Associate Member(s) shall collectively have 1 vote,

regardless of number. Affiliate Members shall not vote.

Consideration of proposed by-law amendments and of proposed resolutions and consideration of other business may also take place at the annual meeting. In addition to conducting its business, the Council shall at its annual meeting provide for the exchange of information about weather modification and for the performance of activities designed to carry out the purposes of the organization as set forth in By-Laws Article II.

SECTION 2. *Regular and Special Meetings.* In addition to its annual meeting, the Council may hold other meetings on a regularly scheduled basis and may hold special meetings. The Board shall have the authority to schedule regular meetings. The Executive Committee shall have the authority to call special meetings. The officers calling regular or special meetings shall provide Full, Associate, and Affiliate members with notice of at least 30 days concerning the time, place, and agenda of such meetings. Each delegate shall have the same voting rights as at annual meetings. The Council may conduct any of its business (other than the selection and installation of officers) or perform any functions consistent with its purpose at such regular or special meetings.

## **ARTICLE VI. DUES**

SECTION 1. *Members.* The Board shall set the annual dues for each class of membership.

SECTION 2. *Payment.* Dues are payable at such times as shall be established by the Board. The Board shall have power to determine the effects of failure to pay dues.

## **ARTICLE VII. RATIFICATION**

SECTION 1. *Ratification Vote.* These By-Laws were originally ratified unanimously by vote of the delegates or alternates of regular members present and voting at the January 17, 1975, meeting of the Council held in Denver, Colorado. For purposes of this ratification, delegates and alternates were eligible to vote without payment of dues by member states or provinces. Such delegates and alternates, however, undertook to convince their states or provinces to comply fully with the membership provisions of these By-Laws, including payment of dues to cover the time between the date of ratification of these By-Laws and the date of the next annual meeting of the Council.

SECTION 2. *Effective Date.* These By-Laws as amended shall become effective on April 18, 2006.

## **ARTICLE VIII. AMENDMENTS**

SECTION 1. *Proposal.* Amendments to these By-Laws may be proposed by the Committee on By-Laws, the Executive Committee, the Board, or delegates or alternates representing one-third

of the members registered as attending the annual meeting prior to the time of presentation of the proposals.

SECTION 2. *Adoption.* A favorable vote of two-thirds of the delegates or their alternates of the members present is required in order for an amendment to be adopted.

SECTION 3. *Effective Date.* Amendments shall take effect at the time stated in the proposal for their adoption, or, if no such time is stated, immediately upon their adoption. The date of the most recent amendment to the By-Laws shall be indicated in Section 2 of Article VII, herein.