



TO: All Affiliates of the Professional Fire Fighters of Maine

FR: John Martell, President
Professional Fire Fighters of Maine

RE: Proposed Resolutions [Amendments] to the PFFM's Constitution & By-Laws

Dear Sisters and Brothers:

Pursuant to Article 8, Section 1 of the PFFM's Constitution & By-Laws, I am forwarding you Attachment [1] that contains the resolutions for the "proposed" revisions to our Constitution & By-Laws for your review and consideration. These resolutions will be addressed during our 2018 Annual Meeting slated for January 16th, 2018.

You will note, that Attachment [1] contains the proposed amendments generated by our Constitution & By-Laws Standing Committee, reviewed and approved by our Executive Board and as discussed with our affiliates gathered at our 2017 October Quarterly Meeting as well as our recent District Meetings. In addition to the proposed amendments we discussed, the Executive Board has included another resolution that would amend Article 5 [Officers & Elections], Section 9 to permit the PFFM affiliates to fill any mid-term vacancies for the positions of Vice-President and Trustee, while continuing to permit the Executive Board to fill mid-term vacancies for the positions of President and Secretary-Treasurer which is consistent with the IAFF's By-Laws. Although not yet discussed, the Executive Board believes that this amendment is necessary and would allow the affiliates to fill mid-term vacancies in the positions of Vice-President and Trustee.

Also, I am including Attachment[s] 2 and 3 for your review and information. Attachment [2] is a copy of the PFFM's current By-Laws and Attachment [3] is a current copy of the IAFF's Constitution & By-Laws.

Looking forward to working with you on these resolutions during our 2018 Annual Meeting. Should you have any questions, need additional information and/or see the need to discuss further, please e-mail or call me directly.

With warmest regards, I remain...

Fraternally,
John Martell, President
Professional Fire Fighters of Maine

Professional Fire Fighters of Maine
2018 Annual Meeting

Attachment [1]
Proposed Amendments/Resolutions
To The Constitution & By-Laws

Reports from the

Constitution & By-Laws Committee	October 2017
Executive Board	November 2017
PFFM District Meetings	November 2017
Resolutions Provided to Affiliates	December 2017
2018 Annual Meeting	January 2018

1. Overview of By-Law Change[s]

Article No.	Title	Proposed Action
Article 1	Name & Objectives	No Change
Article 2	Jurisdiction	No Change
Article 3	Membership	Revised
Article 4	PFFM Meetings	Revised
Article 5	Officers & Elections	Revised
Article 6	Duties of Officers & Staff	Revised
Article 7	Revenue & Expenses	Revised
Article 8	Amendments	No Change
Article 9	Misconduct, Trials, & Appeals	No Change

- All Proposed By-Law Changes will be presented to the Affiliates/Membership in Written Resolution Form.
- Each Proposed By-Law Change [resolution] will be discussed and will be voted on individually by the Affiliates gathered at the January 2018 Quarterly Meeting.
- Copies of Proposed By-Law Change[s] will be e-mailed to affiliate leaders and are posted on the PFFM Website prior to our January 2018 Quarterly Meeting.
- Our 2018 Annual Meeting is scheduled for January 16th, 2018.

2. Defining Proposed By-Law Change[s]

- Will be highlighted by a ~~strikeout~~ for any provision being deleted.
- New language will be added and will be shown in **red**.
- Only the Articles and/or sections of the current by-laws that have been identified for revision are listed below.

3. IAFF District 3 [Per Capita Information]

CT	\$15.06	\$9.00 per member Legislative PAC
ME	\$ 9.18	\$300.00 per month/per affiliate for Full Service
MA	\$14.80	\$.75 per member for PAC Full Service
NH	\$22.41	Full Service
RI	\$20.28	Full Service
VT	\$20.46	Full Service

4. Proposed Resolutions

RESOLUTION NO. 1

ARTICLE 3 MEMBERSHIP

Section 1: The membership of the PFFM shall be composed of such Local Unions in the State of Maine as are chartered and affiliated with the IAFF **and as authorized in the IAFF By-Laws**.

- The Executive Board of the PFFM shall review all new local union applications and vote on acceptance or rejection of a new local into the PFFM.
- In addition, the PFFM Executive Board may admit to membership only individuals from cities/towns within Maine wherein IAFF's By-Laws and/or state statutes prohibit the formation of a bargaining unit or IAFF Local that such applicants otherwise meet the qualifications for membership in the IAFF and PFFM.**

Section 4: ~~PFFM Alumni Group~~ Former members who retired in good standing where their local union does not have retiree membership shall be eligible for membership in the PFFM Alumni Group with the approval of the Local from which they retired. Membership in the PFFM Alumni Group shall only be entitled to access the PFFM Website, PFFM E-mail address and will allow those members that are interested to attend PFFM activities and meetings. Membership in the PFFM Alumni Group does not convey any rights or privileges with the International Association of Fire Fighters. **[Delete – No Longer Required & Change Section Numbers as necessary]**.

Section 9: Death Benefits - A death benefit in the amount of five-hundred [\$500.00] dollars shall be paid as soon as possible to the widow or beneficiary of any fire fighter or fire officer, including Chief officers, who is a member in good standing with both the International Association of Fire Fighters and the Professional Fire Fighters of Maine, and provided such occurrence was during the line of duty. Such benefit shall be paid through the involved Local Union. It shall be the responsibility of the Local Union to provide the deceased members I.A.F.F. membership card number for verification which shall be kept on file as a permanent record. **Funding for this benefit shall come from the PFFM's General Fund and not exceed \$1,000.00 annually unless otherwise approved by Executive Board of the PFFM.**

Section 10: [NEW Program] Disaster Relief Program: The PFFM's Executive Board is authorize to develop a policy that creates, maintains and funds a Disaster Relief Program that is based on the principles of the IAFF's Disaster Relief Program that provides assistance to PFFM members in Maine who suffer financial hardship as the result of a federally/state declared disaster area or in cases of natural or man-made disasters, such as floods, hurricanes, ice/snow storms, tornadoes, earthquakes, fires or civil disturbances or any other hardship as approved by the Executive Board. The policy developed by the Executive Board will be presented to the membership at a Quarterly meeting for review and approval by PFFM Affiliates. The funding for this program shall come from the general fund in the amount of \$.10 per member per month as outlined in Article 7 of these by-laws and shall only be used for the purposes of funding the Disaster Relief Program.

Committee Action: Adopt
Executive Board Action: Adopt
Affiliate Action: _____

RESOLUTION NO. 2

ARTICLE 4 MEETINGS

Section 4: Regular Meetings of the PFFM - Regular meetings of the PFFM shall be held quarterly in the months of January, March, ~~June~~ **May** and ~~September~~ **October** at 1000 hours at a location determined by the President. Regular meetings of the PFFM shall be held on the 3rd Tuesday of these months unless otherwise notified by the President. The Secretary-Treasurer shall cause notice to be issued to the Delegate(s) and Alternate(s) of each Local Union at least **fourteen [14]** ~~twenty one (21)~~ **calendar** days prior to the regular meetings.

Section 7: District Meetings - District Vice Presidents shall hold District Meetings with the PFFM Locals within their respective districts at least twice per calendar year.

~~The PFFM Executive Board may establish a Political Action Advisory Caucus within each district. The caucus shall report to the District VP on the issues of interest that affects the district as well as information about candidates for office from within the district. The district caucus may meet during the regularly scheduled District Meetings. The PFFM may also call upon the Political Action Caucuses to assist in pursuing the Association's legislative and political initiatives. [Delete this verbiage – No Longer required].~~

RESOLUTION NO. 3

ARTICLE 5 OFFICERS & ELECTIONS

Section 2: PFFM Districts: In addition to the structure of the PFFM's Executive Board as outlined in Section 1 of this article, the PFFM will be made up of four [4] or more geographically separated districts that will each be represented by a District Vice-President. The PFFM Executive Board is authorized to add additional districts as necessary and assign new locals to any of the established districts as long as they ensure [to the extent possible] that each district is equally represented.

Currently the four [4] established PFFM Districts are broken down as follows:

District 1: Biddeford, Kittery Shipyard, Ogunquit, Saco, Sanford, Wells and York

District 2: **Gray**, Gorham/Windham/Raymond, Portland, South Portland, Scarborough and Old Orchard Beach

District 3: Auburn, Augusta, Bath, Brunswick, Gardiner, Lewiston, Rockland and Rumford

District 4: Bangor, Brewer, Bar Harbor, Ellsworth, Hampden, Lincoln, Old Town and Orono/Veazie

District 5: Northern Maine [TBD]

District 6: State Local [TBD]

~~The Executive Board shall assign the location of any new affiliated City or Town to one of the districts in this section. They shall take into consideration any geographical location when assigning a new City or Town.~~

~~*Alumni Group Executive Board Representative* – This is an “At Large” position on the Executive Board that will be elected from and by the Alumni group members from the four Districts of the PFFM. [Delete this section – No Longer Required]~~

Section 9: Should a vacancy occur in any of the PFFM’s Executive Board offices due to death, resignation, incapacity or other cause, the vacancy shall be filled in the following manner:

In the event of a vacancy in the office of President or in the office of Secretary-Treasurer, the Executive Board shall meet and elect by secret ballot no later than thirty [30] days from the date the office is vacated a member in good standing of the Association to fill the unexpired term of either or both of such offices vacated.

In the event a vacancy occurs in the office of a Vice President and/or Trustee, it shall be filled by nomination and secret referendum election by the local unions of the district in which the vacancy occurs. The nominations shall be submitted and the election conducted under the direction and supervision of the President and in accordance with the rules issued by him/her implementing these provisions of the Constitution and By-Laws including, but not limited to, the time within which nominations will be received, the terminal date on which all referendum ballots must be postmarked returned, and provisions for runoff elections in the event more than three (3) candidates are nominated, none of whom receives a majority of the valid ballots cast on the first ballot in which event all candidates other than the three (3) leading contestants shall be dropped and the balloting shall continue until a candidate receives a majority vote necessary for election as Vice President/Trustee of said district, provided that in the event none of the final three (3) candidates receives a majority of the votes cast the candidate receiving the lowest vote shall be dropped and the ballot conducted on the remaining two (2) candidates.

Committee Action: Adopt
Executive Board Action: Adopt
Affiliate Action: _____

RESOLUTION NO. 4

ARTICLE 6 DUTIES OF OFFICERS

Section 2: Secretary-Treasurer - It shall be the duty of the Secretary-Treasurer to keep all records of the Association as well as to record all the proceedings of all meetings of the Association. He/she shall report all correspondence at regular meetings and he/she shall type the minutes of meetings and cause copies of such meetings to be sent or emailed to all Delegates, Alternates and Executive Board members. He/she shall send notices of all meetings of the Association to all designated persons. He/she shall be the custodian of the official seal and shall issue all memberships. He/she shall keep a record of all memberships of each Local Union and the name, address and email of the President, Secretary-Treasurer, Delegate and Alternate of each Local. He/she shall also maintain current records of all PFFM officers.

The Secretary-Treasurer shall receive and deposit all money from Local Unions and be the official custodian of all money of the Association. The Secretary-Treasurer shall disperse all money by check, countersigned by the President. The Secretary-Treasurer shall maintain a detailed report of all income and expenditures as required by the President and or the Association and make such report available at all Executive Board and general meetings of the Association. The Secretary-Treasurer shall meet with the Auditor Trustees of the Association as needed.

In addition to the foregoing, the Secretary-Treasurer will also provide assistance to IAFF/PFFM affiliates with fulfilling their fiduciary duties and responsibilities.

~~**Section 4: — Alumni Group Executive Board Representative** — The Alumni group At Large Executive Board member shall be responsible for representing the alumni state members on all legislative and PFFM issues. He/she will assist the PFFM as necessary in pursuing all legislative and political activities as directed by the President and or Executive Board. [Delete – No Longer Required – Renumber sections as necessary].~~

Section 6: Trustees - The responsibilities of the Trustees are:

- a. To have full access to all books and records of the Secretary-Treasurer pertaining to financial matters of the PFFM and audit the account of the Secretary-Treasurer at least annually for each calendar year.
- b. To provide a statement of the accuracy of the records of receipts, expenditures, and money currently available to the full body or Executive Board as required.
- c. To attend the regular and Executive Board meetings as necessary in performing his/her duties.
- d. Assist PFFM Affiliates in auditing their financial books/records as requested.

New Section 7: Legislative/Political Advisor: The President with the approval of the Executive Board will be empowered to hire and/or retain an individual Legislative/Political Advisor and/or Firm to assist the PFFM and the Executive Board in pursuing the following:

1. Political Friendly Candidates at the Federal, State and/or Local levels.
2. Pursue Legislation designed to enhance the health, safety, benefits, retirement and employee/union rights.
3. Defend against any and all legislation designed to adversely affect the members of the PFFM.

New Section 8: Labor-Relations Advisor: The President with the approval of the Executive Board will be empowered to hire and/or retain an individual Labor-Relations specialist and/or Attorney to assist the PFFM in fulfilling its representable responsibilities for PFFM Affiliates/members and for administering the day-to-day operations of the PFFM's Organizing & Field Services Program. All salaries, expenses and fees associated with this position will be budgeted for in the Organizing & Field Service Line of the budget that is funded by the fees collected from the affiliates as required by the Organizing & Field Services Policy.

Committee Action: Adopt
Executive Board Action: Adopt
Affiliate Action: _____

RESOLUTION NO. 5

ARTICLE 7 REVENUE & EXPENSES

Section 2: Sources of Revenue - The revenue of the PFFM shall be derived from per capita taxes, Local Application Fees, Full Service Fees, Member Initiation Fees, penalty fees, special assessments and other non-per capita revenue and as provided for in this Constitution and By-laws.

Section 3: Definition[s] of Revenue:

- a. **Local Application Fee[s]:** Each New IAFF Local applying for membership into the PFFM shall pay a ~~one hundred fifty (150.00)~~ **two-hundred & fifty [\$250.00]** dollars for their application fee.
- b. **Member Initiation Fee[s]:** **No Change**
- c. **PFFM Per Capita Taxes:** The PFFM shall establish and collect sufficient fees and dues from each individual admitted to membership. Each local affiliate shall forward new member initiation fees and per capita tax payments to the Secretary/Treasurer of the PFFM by the fifteenth (15th) day of each month. Payment shall be based on the number of active/active retiree members in the local on the first day of each month. The PFFM shall waive per capita tax payments for members serving active duty in the military. All the **per capita taxes of the PFFM will be adjusted annually [January 1st of each year] based on the U.S. National Consumer Price Index (CPI) [Northeast Region] as issued by the U.S. Department of Labor for the 12-month period not to exceed 3.5 percent.**

- a. **PFFM Legislative & Political Action & Education Fund:** This portion of the per capita tax collected from PFFM affiliate's will be utilize to help defray the cost associated with maintaining the PFFM's Government & Political Affairs Operation. This fund is designed to help defray the costs of representing the legislative/political interests of the IAFF/PFFM and its members that is also designed to educate Association members on legislative & Political issues. To this end, a ~~\$1.00~~ **\$2.40** per member per month will be assessed and added to the PFFM's regular monthly per capita rate.
- b. **New Section Disaster Relief Fund:** Effective February 1st, 2018 the monthly per capita rate will be increased by **\$.10** for the purposes of funding the PFFM's Disaster Relief Program as outlined in Article 3 of the By-Laws.
- c. **New Sub-Section Organizing & Field Services Revenue:** The Organizing & Field Services Policy will be funded by service fees collected by PFFM affiliates as outlined in the Organizing & Field Services Policy. These service fees are not considered per capita and these service fees will only be utilized to support the Organizing & Field Service program and not for any other purpose.
- d. **Per Capita Increases and/or Special Assessments:** Per Capita Tax increases and/or Special assessments shall be adopted as follows:
 - By majority vote of the delegates voting at a regular meeting of the PFFM, or at a special meeting held not less than thirty (30) days, upon written notice to each local union affiliated with said Association; or
 - By majority vote of all members in good standing of the PFFM voting in a membership referendum conducted by secret ballot; or
 - By majority vote of the members of the Executive Board of the PFFM and provided that such increase by the Executive Board shall be effective only until the next regular annual meeting of the PFFM.

Committee Action: Adopt
Executive Board Action: Adopt
Affiliate Action: _____