

Proposed bylaws received 10/27/09 - BP

BYLAWS  
South Jersey Section of the  
American Chemical SOCIETY  
Revised 6/15/2010

BYLAW I - Name

The organization shall be known as the South Jersey Section (hereinafter referred to as the "Section") of the American Chemical SOCIETY (hereinafter referred to as the "SOCIETY").

BYLAW II - Objects

Section 1. The Objects of the Section shall be those of SOCIETY as stated in the Charter and Constitution of the SOCIETY

Section 2. These Objects include the encouragement and advancement of chemistry in all its branches and the increase and diffusion of chemical knowledge.

Section 3. Nothing in these bylaws shall be inconsistent with the Constitution and Bylaws of the SOCIETY.

BYLAW III - Territory and Headquarters

The territory of the Section shall be that assigned to it by the SOCIETY. The headquarters of the Section shall be at a place designated by the Executive Committee.

BYLAW IV - Members and Affiliates

Section 1. The rolls of the Section shall be composed of those members and affiliates of the SOCIETY residing within the territory of the Section, provided that exceptions to this rule shall be made in conformity with the Constitution and Bylaws of the SOCIETY.

Section 2. The Section may have Local Section Affiliates, as authorized in the Constitution and Bylaws of the SOCIETY.

Section 3. Members and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.

BYLAW V - Organization

Section 1. The officers of the Section shall be a Chair, Chair-Elect, Secretary, and Treasurer, except that a Vice-Chair may serve in place of a Chair-Elect as described elsewhere in these bylaws.

Section 2. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY.

Section 3. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors and the Alternate Councilors, the chairs and co-chairs of all standing committees and topical groups, and all liaisons to other organizations.

Section 4. All officers and other persons elected by the members shall be nominated from the MEMBERS of the Section.

#### BYLAW VI - Terms of Office

Section 1. Officers of the Section shall serve for a term of one year beginning January 1, or until their successors assume office in the manner prescribed in these bylaws. The Chair-Elect shall succeed to the office of Chair upon completion of the term of office.

Section 2. Councilors and Alternate Councilors shall be elected from separate slates for a term of three years beginning January 1, to maintain rotation in conformity with the Constitution and Bylaws of the SOCIETY.

Section 3.

a. In the event of a vacancy in the office of Chair the Chair-Elect shall assume the duties of the Chair for the unexpired term, and the Executive Committee shall appoint a Vice-Chair who shall assume the duties of the Chair-Elect until the next annual election. The Vice-Chair shall not automatically succeed to the office of Chair for the ensuing year.

b. If the Chair-Elect assumes the duties of Chair prior to July 1, and continues until the end of the calendar year, (December 31), the Chair-Elect shall be considered to have served a full term as Chair and the Section shall elect both a Chair and a Chair at its annual election. If the Chair-Elect shall assume the duties of Chair on or after July 1, the Chair-Elect shall continue to serve as Chair for the next full calendar year, and the Section shall elect a Chair-Elect as usual at the annual election.

c. All other vacancies in elective offices, other than Councilor and Alternate Councilor, shall be filled by the Executive Committee by interim appointment for the period up to the next annual election, at which time the Section shall elect by ballot a member to fill out the unexpired term, if any.

Section 4. A vacancy in the Councilor position shall be filled by the Alternate Councilor for the remainder of the unexpired term. A vacancy in the Alternate Councilor position shall be filled by the Executive Committee by interim appointment for the period up to the next annual election, at which time the Section shall elect by ballot a member to fill out the remainder of the unexpired term.

#### BYLAW VII - Manner of Election

Section 1. Officers, Councilors and Alternate Councilors shall be elected by a ballot vote of the membership. The candidate receiving the largest number of votes for each office shall be declared elected. In case of a tie vote, the Executive Committee, by ballot, shall elect from among the candidates who share the tie vote; the candidate receiving the largest number of votes shall be declared elected.

Section 2. At the September meeting, the Nominating Committee shall report nominations for each office to be filled. At that meeting any member of the Section may nominate additional candidates for office from the floor, if the nomination is seconded by another member present. Nominations so made shall be equally valid with those of the Nominating Committee. All candidates nominated shall have indicated willingness to serve if elected. The nominations shall be closed by motion from the floor.

Section 3. The candidates for each office shall be listed in an order to be selected by lot on a ballot to be distributed to each member of the Section by November 1. A paper ballot will be mailed to any member who does not have access to electronic balloting.

Section 4. The tabulation of ballots will be completed not later than November 15. The results of the election of officers, Councilor, and Alternate Councilor shall be tabulated by the Nominating Committee. The results shall be announced by the Chair at the November or February meeting and also published in the February issue of the Resonator. The results shall also be certified to the Executive Director of the SOCIETY.

#### BYLAW VIII- Recall of Elected Officials

Section 1. The elected officials of the Section (officers or elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by Local Sections.

Section 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence, is submitted to the Chair from at least five voting members of the Section. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the office of Chair with respect to this issue until the issue is resolved.

Section 3. The Chair shall without delay determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall present the issue to the Executive Committee as a new business item at the next Executive Committee meeting.

- a. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill-founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee.
- b. If the proceedings continue, the Chair shall assign the duties of the official to another qualified member of the Section until the issue is resolved.
- c. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee.

If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds vote of the remaining members of the Executive Committee.

- d. If the proceedings continue, the official shall choose one of the following options:

- (1) The official may resign.
- (2) The official may request a recall vote in the same manner as the original election, which must be consistent with the Section bylaws. The voting membership shall be informed, through brief written statements prepared by the Executive Committee and the official, of the issues involved with the recall vote. Both statements shall be given to the voting membership before the vote is taken.
- (3) The official may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds vote of the remaining members of the Executive Committee shall be required to recall the official.
- (4) The official may choose not to respond and thus forfeit the position.

Section 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Section and the Executive Director of the SOCIETY shall be informed of the results of the recall process and the replacement of the official.

#### BYLAW IX - Duties of Officers

Section 1. The duties of the officers shall be those customarily performed by such officers, together with those responsibilities prescribed by the Constitution and Bylaws of the SOCIETY and by these bylaws and such other duties as may be assigned from time to time by the Executive Committee.

#### Section 2.

a. The Chair of the Section shall serve as Chair of the Executive Committee and shall appoint all committees authorized in these bylaws or by the Executive Committee,

b. The Chair-Elect with the help of the new Chair-Elect, after consultation with the incumbent Executive Committee and Section Chair, has the responsibility of appointing the standing committees for the ensuing calendar year. Committees shall be appointed not later than December 1.

c. In accordance with the requirements of the Constitution and Bylaws of the SOCIETY, the Chair who was in office at the end of the calendar year shall submit to the SOCIETY by the date established in the SOCIETY's Bylaws an annual report of the Section covering the calendar year most recently ended.

Section 3. The Chair-Elect shall serve as Chair of the Program Committee and, in the absence of the Chair or in case of the Chair's inability to serve, shall preside at meetings of the Section and of the Executive Committee and exercise all duties and responsibilities of the Chair.

#### BYLAW X - Duties of the Executive Committee

Section 1. The Executive Committee shall be the governing body of the Section and, as such, shall have full power to conduct, manage, and direct the business and affairs of the Section in accordance with the Constitution and Bylaws of the SOCIETY and these bylaws.

Section 2. The Executive Committee shall hold no fewer than two meetings annually. The Committee may hold additional meetings, upon due notice to its members, at the call of the Chair

of the Section, the Chair-Elect in the absence of the Chair, or at the request of one-third (1/3) of the members of the Executive Committee.

Section 3. In any meeting of the Executive Committee, one third of the Committee membership shall constitute a quorum, provided that the Chair or Chair-Elect and at least one Councilor or Alternate Councilor are present.

#### BYLAW XI - Topical Groups, Committees, and Liaison

Section 1. Topical groups may be formed at the discretion of the Executive Committee. A Chair of a Topical group shall be appointed by the Section Chair.

Section 2. The following standing committees shall be appointed each year, together with such other committees as may be authorized by the Executive Committee: Program, Membership, Entertainment and Meeting Arrangements, Publicity, Publications, Education, Nominating, Plant Tour, Speakers Bureau, Awards, and Planning. Alterations and additions to the list of committees may be made by the Chair with the approval of the Executive Committee. Such changes shall not be construed as a formal change in the bylaws. Committee chairs will be selected by appointment of the Section Chair.

Section 3. If deemed desirable the Executive Committee, and if approved by the outside scientific organization(s) targeted, the Chair may appoint a Liaison to such organizations(s).

Section 4. The Section may affiliate with the Engineering and Technical Societies Council of Delaware Valley, Inc. (ETSCO), with representatives on its governing body appointed by the Chair, in accordance with the Bylaws of the SOCIETY.

#### BYLAW XII – Meetings

Section 1. The Section shall hold no fewer than six regular meetings each year, preferably monthly on the third Tuesday of the month, at places designated by the Program Committee, with approval of the Executive Committee.

Section 2. The Section may hold special meetings at the call of the Executive Committee, or by petition of 10 percent of the members of the Section. The notices of special meetings shall state the exact nature of the business to be transacted and no other business shall transpire at such meetings.

Section 3. Due notice of all meetings shall be sent to each member and affiliate of the Section. Any business of the Section requiring membership approval should be passed by majority vote by ballot.

Section 4. At the regular meetings of the Section, the order of business shall be as follows:

- a. Call to order
- b. Approval of minutes of previous meeting,
- c. Old business,
- d. New business,
- e. Announcements - meetings, special events, etc.,
- f. Introduction of speaker,
- g. Lecture,
- h. Discussion,

i. Adjournment.

The foregoing order of business may be suspended by a majority vote of the members present at any regular meeting.

Section 5. The rules of order in the conduct of Section Meetings, not specifically provided in these bylaws or in the SOCIETY'S documents shall be the most recent edition *Robert's Rules of Order Newly Revised*.

BYLAW XIII – Finances

Section 1. The Section may receive donations or bequests made to it, and may expend or invest the same on behalf of the Section. Such expenditures or investments shall be made by the Treasurer of the Section upon authorization by the Executive Committee.

Section 2. The Section may raise or collect funds to be expended for local purposes, and may have the entire management and control of such funds insofar as such management and control shall not conflict with any provision of these bylaws or with the Constitution or Bylaws of the SOCIETY.

Section 3. The Executive Committee shall have the authority to assess dues or voluntary contributions as provided in the SOCIETY'S Constitution and Bylaws for the various categories of membership.

BYLAW XIV – Amendment

Section 1. Proposed amendments to these bylaws may be initiated by the Executive Committee or must be submitted over the signatures of at least five Section members to the Executive Committee, which shall consider them at its next meeting. If the amendment is not approved, the Committee shall so report to those submitting the amendment, this report to include a statement of the reasons for rejection. If the proposed amendments is/are approved by a majority of the Executive Committee, the Executive Committee may decide to first submit the proposed bylaws changes to the Committee on Constitution and Bylaws for review. After required and/or suggested changes are made by the Executive Committee, the Secretary shall then furnish all members of the Section with the proposed amendment.

Section 2. The amendment shall be presented to the membership by ballot and adopted if approved by two-thirds (2/3) of the members voting.

Section 3. Following adoption by the Section, amendment shall become effective upon approval by the Committee on Constitution and bylaws, acting for the Council.

BYLAW XV - Dissolution of the Section

Upon the dissolution of the Section, any assets of the Section remaining thereafter shall be conveyed to such organization then existent, within or without the territory of the Local Section, as is dedicated to the perpetuation of objects similar to those of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Local Section at the time of dissolution shall be exempt under Section 501 (c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Section's dissolution.