



***BYLAWS OF THE
ERIE SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the Erie 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 the SOCIETY as stated in the Charter and Constitution of the SOCIETY.

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

Section 3. The Section is organized exclusively for charitable, educational, and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**BYLAW III
Territory**

The territory of the Section shall be that assigned to it by the SOCIETY.

**BYLAW IV
Members and Affiliates**

***Effective February 4, 2014.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: bylaws@acs.org; www.acs.org/bulletin5)

Section 1. The rolls of the Section shall be composed of those MEMBERS, STUDENT MEMBERS, and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that any 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. A Local Section Affiliate shall retain affiliate status only so long as payment is made of Local Section dues of not less than two dollars (\$2.00) per annum.

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

Section 4. A Society Affiliate or a Local Section Affiliate may not vote for or hold an elective position of the Section or vote on Articles of Incorporation or bylaws of the Section. A Society Affiliate may not serve as a voting member of the Executive Committee. A Local Section Affiliate may not serve as a member of the Executive Committee. Society Affiliates may be appointed as Committee Chairs and may serve on the Executive Committee in a non-voting capacity.

BYLAW V

Organization, Manner of Election, and Terms of Office

Section 1. The officers of the Section shall be MEMBERS of the SOCIETY and the Section shall consist of the Chair, Vice-Chair, Secretary, and Treasurer. The Secretary and Treasurer positions may be held by the same person.

Section 2. The Section shall have Councilor(s) and Alternate Councilor(s) 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 Councilor(s) and Alternate Councilor(s), and two Members-at-Large, each of whom shall be known as an Executor.

Section 4. Executors shall be MEMBERS of the Section. One Executor shall be elected by ballot each year for two-year terms that begin on January 1 following the election.

Section 5. Councilor(s) and Alternate Councilor(s) shall be elected by ballot from the MEMBERS for three-year terms that begin on January 1 following the election.

Section 6. The Executors shall prepare a Call for Nominations Announcement indicating the positions that need to be filled. The Secretary shall distribute this announcement prior to September 15 of each year. If an Executor is a candidate for office, the Executive Committee shall appoint a MEMBER to serve as a Temporary Executor for the duration of the election process. All nominees must be MEMBERS; no nominee's name shall be placed on the ballot unless the nominee has stated willingness to serve if elected.

Section 7. The Executors shall prepare a ballot bearing the names of all candidates for each office. This ballot will be distributed to all members no later than October 15. Voting may be done by returning the ballots as directed. An Executor who is a candidate for office shall not be involved in obtaining and counting and/or validating ballots. Ballots must be received by midnight November 1 to be counted. Valid ballots shall be counted and/or verified within five business days after

November 1. A candidate for any office receiving a plurality of votes shall be declared elected. A tie vote shall be resolved by another ballot of members for the particular office involved.

Section 8. In the event that an existing Executor is elected as an officer, the candidate for Executor receiving the largest number of votes shall be declared elected for a two-year term and the candidate(s) with the next largest number of votes shall be declared elected to complete the unexpired term(s) of the newly elected officer(s).

Section 9. The term of the newly elected officers will begin January 1 following the election and will end on December 31 of that year.

Section 10. In the event of a vacancy in the office of Chair, the Vice-Chair shall assume the added duties of the Chair for the unexpired term. All other vacancies 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 a MEMBER to complete the unexpired term.

Section 11. In accordance with the SOCIETY's Bylaws, balloting procedures should ensure fair balloting that is open to all eligible members, protection against fraudulent balloting, and the timely reporting and archiving of balloting results.

BYLAW VI Finances

Section 1. Members of the Section, except MEMBERS in emeritus status of the SOCIETY, may be assessed voluntary annual Local Section dues in an amount set by the Executive Committee.

Section 2. Society Affiliates of the Section may be assessed annual Local Section dues in an amount set by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues shall automatically terminate the affiliation.

Section 3. 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.

BYLAW VII Duties of Officers

Section 1. The duties of the officers shall be such as usually pertain to their offices, together with those required by the Constitution and Bylaws of the SOCIETY, and such other duties as may be given them from time to time by the Executive Committee.

Section 2. The duties of the Chair shall be to preside at meetings of the Executive Committee, to carry into effect the decisions and recommendations of that Committee, to preside at business meetings of the Section, to appoint all committees, and to carry out all those duties required by the Constitution and Bylaws of the SOCIETY. In the absence of the Chair, the duties of the office shall devolve upon the Vice-Chair.

Section 3. The duties of the Vice-Chair shall be to assist the Chair in all activities of the Section as specified elsewhere in these bylaws. The Vice-Chair shall also serve as Chair of the Program Committee.

Section 4. The duties of the Secretary shall be to keep a record of the proceedings of the Section and of the Executive Committee, to maintain a list of members and affiliates, to send to members and affiliates such notices as the business of the Section may require, and to carry out the duties required by the Constitution and Bylaws of the SOCIETY and elsewhere in these bylaws.

Section 5. The Treasurer shall have charge of the funds of the Section, keep an accurate record of all receipts and disbursements, receive dues, and make those disbursements approved by the Executive Committee. The Treasurer shall keep all funds of the Section in a bank approved by the Executive Committee and in the name of the Erie Section, American Chemical Society. The Treasurer shall render an account of all transactions and of the financial condition of the Section to the Executive Committee at times set by the Committee, and shall submit such reports as are required by the Constitution and Bylaws of the SOCIETY. A financial statement showing the expenditures of funds of the Section must also be made no later than December 31 of each year to the Executive Committee.

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 Vice-Chair 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 notify members of the Executive Committee and call a special meeting within thirty days.

- 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 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 (2/3) vote of the remaining members.

- 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 distributed 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 (2/3) 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

Committees and their Duties

Section 1. There shall be an Executive Committee as provided elsewhere in these bylaws, and such other committees as may be necessary for the proper conduct of the affairs of the Section. The Executive Committee shall have charge of the affairs, funds and properties of the Section and of all other matters not otherwise provided for in these bylaws.

Section 2. There shall be the following standing committees: Program and Awards. The Chair of the Awards Committee shall be appointed by the Chair of the Section. The Chair of the Program Committee is mentioned elsewhere in these bylaws.

BYLAW X

Meetings

Section 1. The Section shall hold regular meetings at places and times designated by the Executive Committee.

Section 2. The Section may hold special meetings at the call of the Executive Committee or at the written request of 15 members of the Section. Such request must be in the hands of the Secretary at least ten days before the date requested for the meeting. The notices of special meetings shall state

the exact nature of the business to be considered and no other business shall be transacted at such meetings.

Section 3. Due notice of all meetings shall be sent to each member and affiliate of the Section. A quorum for transaction of business at a Section meeting shall consist of the larger of 15 members or 10 percent of the members of the Section. No business shall be transacted in the absence of a quorum.

Section 4. The Executive Committee shall meet at the call of the Chair or at the request of a majority of the members of the Committee. In the absence of a quorum, which shall be a majority of the members of the Executive Committee, called meetings of the Committee shall adjourn to a date.

Section 5. The regular April meeting shall be designated as the annual meeting.

Section 6. The most recent edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters not covered in these bylaws or in the SOCIETY's documents.

BYLAW XI Amendments

Section 1. A petition to amend the bylaws may be initiated by the Executive Committee, or by petition signed by at least eight members or three percent of the members of the Section, whichever is larger. If the proposed amendment is approved by the Executive Committee, it shall, if practical, be submitted to the SOCIETY's Committee on Constitution and Bylaws for review. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by the Executive Committee or a majority of the petitioners, the Secretary shall distribute the amendment(s) to each member of the Section when notice of the next meeting, or notice of a ballot on the amendment, is provided.

Section 2. If a proposed amendment is not approved by a majority of the Executive Committee, and if the petition is signed by at least eight members or three percent of the members of the Section, whichever is larger, it shall, if practical, be submitted to the SOCIETY's Committee on Constitution and Bylaws for review before being submitted to the membership of the Section. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by a majority of the petitioners, the Secretary shall distribute the amendment(s) to each member of the Section when notice of the next meeting, or notice of a ballot on the amendment, is provided.

Section 3. At least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Section 4. The Secretary shall distribute the outcome of the vote regarding the amendment(s) to the Section members and within one month, shall meet all requirements for submitting the results to the Committee on Constitution and Bylaws.

Section 5. Amendments to these bylaws shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified.

BYLAW XII Affiliation

The Section may affiliate with the Erie Engineering Societies Council, a local technical organization, provided that such affiliation does not conflict with the Charter, Constitution, Bylaws, or Regulations of the SOCIETY.

BYLAW XIII
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.