

PROPOSED CHANGES - started by C&B, to be completed by the Local Section.

**\*BYLAWS OF THE ~~OF THE~~of the  
RED RIVER VALLEY SECTION  
~~OF THE~~of the  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I—NAME**

This organization shall be known as the Red River Valley 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 the same as those of the SOCIETY, ~~as follows: 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.

~~The objects of the AMERICAN CHEMICAL SOCIETY shall be to encourage in the broadest and most liberal manner the advancement of chemistry in all its branches; the promotion of research in chemical science and industry; the improvement of the qualifications and usefulness of chemists through high standards of professional ethics, education, and attainments; the increase and diffusion of chemical knowledge; and by its meetings, professional contacts, reports, papers, discussions, and publications, to promote scientific interests and inquiry, thereby fostering public welfare and education, aiding the development of our country's industries, and adding to the material prosperity and happiness of our people.~~

**BYLAW III—TERRITORY AND HEADQUARTERS**

~~Section 1.~~ The territory of the Section shall be that assigned to it by the SOCIETY. ~~The headquarters of the Section shall be at Grand Forks, North Dakota.~~

**\*Effective ~~August 23~~23 Month, 1989**2013. Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY.

#### BYLAW IV—MEMBERS AND AFFILIATES

Section 1. The rolls of the Section shall include those MEMBERS, ASSOCIATE STUDENT MEMBERS, and National 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.

Section 3. MEMBERS, ASSOCIATE STUDENT MEMBERS, and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. A Society Affiliate or Local Section Affiliate may not vote for or hold an elective position, or vote on Articles of Incorporation and bylaws. A Local Section Affiliate may not serve as a member of the Executive Committee; a Society Affiliate may not serve as a voting member of the Executive Committee.

#### BYLAW V—ORGANIZATION

Section 1. The officers of the Section shall be MEMBERS of the Section and shall be a Chair, Chair-Elect, ~~Corresponding Secretary, Recording~~ Secretary, and Treasurer.

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), the Alternate Councilor(s), and at least five and no more than eight Members-at-Large.

Section 4. All officers, Councilor(s), Alternate Councilor(s), and other persons elected by the members, shall be chosen from the MEMBERS.

#### BYLAW VI—MANNER OF ELECTION AND TERMS OF OFFICE

Section 1. ~~Elected~~The officers of the Section shall be elected by the members, shall take office on 1 January, and shall hold office serve for ~~a term of~~ one year, beginning on January 1 or until their successors are elected qualify. ~~The Chair-Elect shall succeed to the~~ Upon completion of the Chair's term of office, the Chair-Elect shall succeed to the office of Chair ~~upon completion of his term of office.~~

Section 2. Councilor(s) and Alternate Councilor(s) shall be elected by the members for a term of three years beginning on 1 January.

Section 3. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the unexpired term. All other vacancies shall be filled by the Executive Committee from among the MEMBERS by interim appointment for the period up to the next annual election, at which time the Section shall ~~choose~~ elect a MEMBER ~~member~~ to ~~fill out~~ complete the unexpired term, if any. In the event the office of Chair-Elect is filled by such interim appointment, the Section shall elect both a Chair and Chair-Elect at its annual election.

~~Section 4. A Nominating Committee of four members consisting primarily of recent past Chairs shall be appointed by the Chair. This Committee shall prepare a slate of nominees consisting of at least one candidate for each office and a short biographical sketch for each candidate. This list shall be included in the notice for the October meeting which notice shall be sent to all members not later than one week before the meeting. At the October meeting, additional nominations may be made from the floor. Nominations from the floor must be supported by two seconds. Ballots shall be mailed to all members not later than two weeks after the October meeting. The ballot shall include a short biographical sketch for each candidate. Deadline for receipt of returned ballots shall be one half hour after the November meeting has been called to order. The election ballots shall be counted by three Tellers appointed by the Chair and the results shall be announced before adjournment of the November meeting. Election shall be determined by a plurality of the ballots cast. In case of ties, election shall be determined by secret ballot of the members present at the meeting.~~

Section 4. The Nominating Committee shall nominate one or more MEMBERS for each elective position for which a vacancy will occur and shall make a report at a regular meeting of the Section. With the exception of the Chair and Chair-Elect, the incumbent of any elective position may be re-nominated. After the report of the Committee, nominations may be received from the floor or by petition. Only nominees who have agreed to serve if elected may be named on the ballot.

Section 5. The election of officers shall be conducted either at a regular meeting subsequent to that mentioned elsewhere in these bylaws or, at the discretion of the Executive Committee, by a ballot distributed to the members of the Section in accordance with the Bylaws of the SOCIETY.

Section 6. Councilor(s) and Alternate Councilor(s) shall be elected by a ballot distributed to the members of the Section.

Section 7. In accordance with the SOCIETY 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.

Section 8. Elections shall be completed and the results certified to the Executive Director of the SOCIETY by 1 December, as required by the Bylaws of the SOCIETY.

Section 9. The Secretary, or other designated officer of the Section, shall prepare an election ballot on which shall appear the names, in order chosen by lot, of all candidates.

Section 10. For distributed ballots, no less than three (3) weeks must be provided between the date of distribution of ballots to the members and the deadline for their return to the Secretary or other designated officer of the Section.

Section 11. The Chair shall appoint as Tellers two or more members who are neither candidates for office nor members of the Executive Committee.

Section 12. The Secretary, or other designated officer of the Section, shall validate returned ballots in accordance with the Bylaws of the SOCIETY and transmit the ballots to the Tellers.

Section 13. The Tellers shall count the ballots and shall tally the votes. Ballots that violate specified voting procedures shall be rejected in whole or in part, depending on the extent of the violation(s). The vote tally, including the number of rejected ballots, shall be reported to the Chair. All ballots shall be returned to the Secretary.

Section 14. In case of a tie vote for any elective position, the Executive Committee shall select from among the tied candidates.

Section 15. The Chair shall inform all candidates of the election results and shall arrange for transmitting this information to all members and affiliates of the Section.

Section 16. The Secretary shall retain all ballots for at least ninety days after either the announcement of the results to the membership or until any disputes have been resolved, whichever is later.

## **BYLAW VII—~~DUTIES OF~~ OFFICERS ~~AND~~ EXECUTIVE COMMITTEE**

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 membership of the Section or by~~ the Executive Committee. ~~The Corresponding Secretary shall have responsibility for:~~

- ~~a) preparing and distributing meeting notices for the Section;~~
- ~~b) maintaining and updating the permanent records of the Section;~~
- ~~c) submitting reports and handling other correspondence for the Section;~~
- ~~d) assuming any other duties customary to the office of Secretary.~~

~~The Recording Secretary shall have responsibility for:~~

- ~~a) recording the minutes of Executive Committee and general business meetings;~~
- ~~b) reading minutes of previous meetings at business meetings as required;~~
- ~~c) sending copies of minutes of meetings to the Chair and Corresponding Secretary for purposes of maintaining permanent records for the Section;~~
- ~~d) sending copies of minutes of Executive Committee meetings to members of the Executive Committee;~~
- ~~e) assisting the Corresponding Secretary in any manner necessary to the accomplishment of the objectives of the Section.~~

~~Section 2. The Chair of the Section shall serve as Chair of the Executive Committee and shall appoint members and/or affiliates to all committees authorized in these bylaws or by the Executive Committee. As soon as possible after beginning his term of office, the Chair shall fill the vacancies on all standing and any special committees, subject to the approval of the Executive Committee.~~

~~Section 3. 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. The Executive Committee shall take action to provide financial support for Councilors attending national ACS meetings.~~

~~Section 4. The Executive Committee shall designate a member who resides in the Grand Forks area to serve as Section Archivist. The Archivist shall preserve and maintain the permanent records of the Section not currently needed by the incumbent officers.~~

### ~~BYLAW VIII—COMMITTEES~~ RECALL of ELECTED OFFICIALS

~~Section 1. There shall be the following standing committees:~~

~~Membership-Dues  
Chemical Education-Awards  
Program-Publicity  
Nominating Committee~~

~~Section 2. The above committees, except the Membership-Dues Committee, shall each consist of four members and each member shall serve for a period of two years. Each committee should be constituted so that half the members retire each year. In selecting members for the above committees, consideration shall be given to the various geographical areas included in the Section.~~

~~Section 3. The Chair and Chair-Elect shall serve as *ex-officio* members of the Program-Publicity Committee with the Chair-Elect serving as Chair of the Committee. This Committee shall arrange the programs and publicity for the regular meetings of the Sections.~~

~~Section 4. The Membership-Dues Committee shall consist of the Treasurer and past Treasurer as *ex-officio* members and one member from each institution not represented by the two *ex-officio* members. The Membership-Dues Committee shall be responsible for soliciting new members and collecting dues for the Section.~~

~~Section 5. The Chemical Education-Awards Committee shall be responsible for arranging the educational activities of the Section and for making nominations for awards to be given by the Section.~~

~~Section 6. The duties of the Nominating Committee shall be those defined in Bylaw VI, Section 4.~~

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 (30) 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—MEETING COMMITTEES**

~~Section 1. The Section shall hold regular meetings each year, preferably monthly, between the months of October and May, inclusive, at times and places to be specified by the Executive Committee.~~

~~Section 2. The Section may hold special meetings at the call of of the Executive Committee or at the request of at least twenty 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 National Affiliate of the Section. A quorum for all business meetings of the Section shall consist of twenty-five percent of the members of the Section.~~

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

~~Reading of Minutes  
Reports of officers and committees  
Old business  
New business~~

~~The foregoing order of business may be suspended by a majority vote of the members present at a regular meeting. The rules of order in the conduct of the Section's meetings, not specifically provided in these bylaws, shall be Robert's "Rules of Order."~~

~~Section 5. The Executive Committee shall meet upon due notice to its members at the call of the Chair or at the request of a majority of the members of the Committee. A quorum shall consist of at least five members of the Committee.~~

Section 1. The Executive Committee shall establish committees as necessary for the proper operation of the Section.

Section 2. The Chair shall appoint a Nominating Committee consisting of a Chair and two or more members not later than September of each year. Not more than one member of the Executive Committee may be a member of the Nominating Committee.

### **BYLAW X—~~DUE MEETINGS~~**

~~Section 1. All assigned National Affiliates and members of the Section, except members in emeritus status of the SOCIETY, may be assessed such annual Local Section dues as may be established by recommendation of the Executive Committee, with the approval of the membership.~~

~~Section 2. The annual dues of Local Section Affiliates shall be set by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues in advance shall automatically terminate the affiliation.~~

~~Section 3. Members who receive a student discount for SOCIETY dues shall be exempt from paying Local Section dues.~~

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. 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 distributed to each member and affiliate of the Section. A quorum for transaction of business at a Section meeting shall consist of 15 members of the Section. No business shall be transacted in the absence of a quorum.

Section 4. The Executive Committee shall meet upon due notice to its members 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 Executive Committee shall adjourn to a date.

### **BYLAW XI--FINANCES**

Section 1. All members and assigned Society Affiliates of the Section may be requested to pay voluntarily such annual Local Section dues as may be set by the Executive Committee.

Section 2. The annual dues of Local Section Affiliates shall be set by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues for the current year shall terminate the affiliation.

### **BYLAW XII—AMENDMENTS**

Section 1. A proposed amendment to these bylaws must first be submitted in writing to 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, if the proposed amendment is approved by a majority of the Executive Committee, the Secretary shall furnish a copy to all members of the Section, with copies of the proposed amendment at the time when notice of the next meeting of the Section is given.

Section 2. At the second meeting of the Section after notice ~~Following announcement~~ of the proposed amendment at a meeting of the Section and provided that due notice of the impending vote is given, the amendment may will be adopted at the subsequent meeting of the Section if it receives an affirmative vote by two-thirds ~~of the votes~~ of the members present. ~~The Section may call for a ballot by mail. A ballot by mail shall be conducted upon petition signed by ten members.~~

Alternatively, or in the absence of a quorum at the meeting during which the vote is scheduled, a ballot distributed to the members of the Section may be used. Both the current language and the amended language of the affected bylaw(s), together with an explanation of the change(s), must accompany the ballots unless such information was furnished to members of the Section previously. A deadline date, at least three weeks after distribution of the ballots, shall be specified for return of the ballots to the Secretary or other designated officer of the Section. The amendment is adopted by an affirmative vote of two-thirds of the valid ballots returned.

Section 3. If a proposed amendment is not approved by a majority of the Executive Committee, it may, nevertheless, be brought to the members for a vote in an alternative manner. To bring about such a vote, a petition supporting the amendment, which has been signed by at least 15 members or three percent of the members of the Section, whichever is larger, must be presented to the Executive Committee. The procedure subsequently followed for general announcement of the amendment and balloting shall be identical to that used for an amendment approved by the Executive Committee.

Section 34. Amendments to these bylaws, after adoption by the Section, 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 in the amendment.

### **BYLAW XIII--DISSOLUTION of the LOCAL SECTION**

Upon the dissolution of the Section and the discharge of its debts and the settlement of its affairs, any ~~funds and property assets~~ of the Section remaining thereafter shall be ~~used for the advancement of chemistry in the area covered by the Section. In the event this procedure is not practical, or there still remain unexpended funds, such funds shall be conveyed to the SOCIETY for the general purposes of the SOCIETY.~~

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.