



***BYLAWS OF THE
EAST TENNESSEE LOCAL SECTION
of the
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the East Tennessee 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 Constitution of the SOCIETY.

Section 2. Additional objects of the Section shall include the encouragement and advancement of chemistry in all its branches; and through its meetings, reports, papers, discussions, and publications, the promotion of scientific interest and inquiry and the professional advancement of its members.

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

**BYLAW III
Territory**

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

**BYLAW IV
Members and Affiliates**

***Effective September 23, 1997.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY.

Section 1. The rolls of the Section shall include those MEMBERS, ASSOCIATE MEMBERS, and National Affiliates of the SOCIETY residing within the territory of the Section, provided that exceptions to this rule may be made in conformity with the Constitution and Bylaws of the SOCIETY.

Section 2. The Section may have Local Section Affiliates subject to the provisions of the Constitution and Bylaws of the SOCIETY.

Section 3. MEMBERS, ASSOCIATE MEMBERS, National Affiliates, and Local Section Affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. National Affiliates may not vote for or hold an elective position of the Section, vote on articles of incorporation and bylaws of the Section, or serve as voting members of the Executive Committee but may serve as nonvoting members of the Executive Committee. Local Section Affiliates may not serve on the Executive Committee in any capacity, vote for or hold an elective position of the Section or vote on articles of incorporation and bylaws of the Section.

BYLAW V Organization

Section 1. The officers of the Section shall be a Chair, Chair-Elect, Secretary, and Treasurer. The terms of office and manner of election are described in these bylaws.

Section 2. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY. The terms of office and manner of election are described in these bylaws. ASSOCIATE MEMBERS may hold an elective position other than Councilor or Alternate Councilor and may not serve as Temporary Substitute Councilors.

Section 3. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors, the Alternate Councilors, and three Members-at-Large.

Section 4. Councilors and Alternate Councilors must be elected from among the MEMBERS and all other officers may be elected from among the MEMBERS and ASSOCIATE MEMBERS by the members of the Local Section.

BYLAW VI Manner of Election and Terms of Office

Section 1. The officers and the Members-at-Large of the Executive Committee of the Section shall serve as follows: the Chair-Elect shall succeed to the office of Chair and then to the position of Past Chair, each a one-year term; the Secretary and Treasurer shall serve two-year terms and shall be elected in a manner to provide rotation; and Members-at-Large of the Executive Committee shall serve three-year terms and shall be elected in a manner to provide

rotation so that only one individual is elected each year. Terms of office shall begin on January 1.

Section 2. 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 by interim appointment for the period up to the next annual election, at which time the Section shall elect a MEMBER or ASSOCIATE MEMBER to fill out 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 3. At a Section meeting in the first quarter of each calendar year, the Chair shall appoint a Nominating Committee of not less than three members not holding elected positions in the Section to provide two nominees for each Section officer and Executive Committee Member-at-Large position to be filled in accordance with these bylaws, with the exception that an incumbent Secretary or Treasurer may be nominated to serve a second term without opposition.

Section 4. The Nominating Committee shall include its report of nominees for Section officers and Executive Committee Members-at-Large with the announcement of the annual meeting, which shall be mailed to the Section members. At the discretion of the Executive Committee, the election may be carried out either by a secret ballot taken at the annual meeting or by a mail-in ballot. In the former procedure, the Nominating Committee shall again present its report of nominees at the annual meeting and any member may make further nominations at that time. The voting shall be by secret ballot immediately following the nomination and shall continue by elimination of the nominee receiving the fewest votes on each ballot until one person receives the majority of the votes cast. In case of a tie vote for any elective office, the Executive Committee shall forthwith proceed to decide between the tie candidates by vote. For the mail-in ballot procedure, the Nominating Committee shall include its report of nominees for Section officers and Executive Committee Members-at-Large with the announcement of the annual meeting mailed to the Section members. Provision must be made, by a call for nominations issued in a previous mailing to the membership, for the addition of nominees to the slate of candidates by the Section members. A period of three weeks from the postmark date of the mailing of the slate of candidates shall be allowed for return of the ballots. The candidates receiving the plurality of the votes shall be declared winners of the elections, with ties decided by the Executive Committee.

Section 5. Councilors and Alternate Councilors shall be elected from among the MEMBERS by a mail ballot of the members of the Section for a term of three years beginning on the succeeding January 1. The terms of office of the Councilors and Alternate Councilors shall be set up in such a way as to produce rotation.

Section 6. The Nominating Committee shall present to the Section at a meeting in the second quarter of each calendar year in which a Councilor and/or Alternate Councilor is to be elected the names of the nominees proposed in accordance with these bylaws. Notification of the presentation of the names of the nominees shall be sent to the members with the official meeting notice. Additional nominations for the Councilor and Alternate Councilor may be made from the

floor at this meeting, but no MEMBER shall be considered nominated without the MEMBER's consent being obtained prior to preparation of the mail ballot.

Section 7. In the election of Councilors and Alternate Councilors a slate of twice the number of both Councilors and Alternate Councilors to be elected shall be presented, except that at the discretion of the Nominating Committee an incumbent Councilor may be nominated without opposition for no more than three consecutive full terms. If the Nominating Committee chooses to nominate a Councilor without opposition, then they shall provide a separate slate of two nominees for each additional Councilor and each Alternate Councilor to be elected. In case the Nominating Committee chooses to run an incumbent Councilor without opposition, the vote for Councilor and Alternate Councilor shall be separated and the nominee for each position receiving the majority vote shall be declared elected to that position. If the Nominating Committee makes no distinction between nominees for Councilor and Alternate Councilor, the candidate receiving the largest number of votes shall be elected Councilor, and the one receiving the second largest number of votes shall be Alternate Councilor.

Section 8. The Secretary shall prepare an election ballot on which shall appear the names, in order chosen by lot, of all candidates nominated and found willing to serve. The ballot shall clearly indicate the manner of differentiation between Councilor and Alternate Councilor selected by the Nominating Committee in accordance with these bylaws.

Section 9. A period of at least three weeks must be provided between the date of mailing of the ballots to the members and the deadline for their return to the Secretary. The deadline shall be at least two weeks prior to the annual meeting to provide time for tallying by the time of the annual meeting.

Section 10. In voting, the member must return the ballot to the Secretary in an unmarked, sealed envelope within an outer sealed envelope. The outer sealed envelope must bear the signature of the voting member. The Secretary shall deliver, unopened, to the Tellers all ballots received by the deadline.

Section 11. The Tellers appointed by the Chair shall validate and then count the ballots thus received, using the list of members provided by the Secretary to verify eligibility of all those voting. Any ballot envelope not so validated shall be rejected.

Section 12. In case of a tie vote for any Councilor or Alternate Councilor opening, the Executive Committee shall make the final selection.

BYLAW VII

Recall of Elected Officials

Section 1. The elected officials of the Section are subject to recall for neglect of duties or conduct injurious to the SOCIETY.

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 (5) 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 (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 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 (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 VIII **Duties of Officers and Executive Committee**

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

Section 2. The Chair of the Section shall serve as Chair of the Executive Committee and shall appoint all committee chairs and/or committees authorized in the bylaws or by the Executive Committee. Each committee chair may appoint committee members.

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 be responsible for the Section publication and for the appointment and recommendation of its personnel.

Section 4. The Treasurer may be bonded in a suitable manner, if the Executive Committee so provides.

Section 5. The Treasurer shall receive and deposit all funds paid to the Section in the name of the Section and shall disburse funds of the Section subject to approval by the Executive Committee. The accounts of the Treasurer shall be audited annually by a committee of the Section or professional auditor as determined by the Executive Committee.

BYLAW IX **Committees**

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

Section 2. There shall be a Nominating Committee as provided in these bylaws.

BYLAW X **Meetings**

Section 1. The Section shall hold not less than eight regular meetings each year at places designated by the Executive Committee. The October or November meeting shall be designated as the annual meeting.

Section 2. The Section shall have special meetings upon request of the majority of the Executive Committee or upon the request of fifteen (15) members of the Section. The call for any special meetings shall be mailed to each Section member at least one week in advance and shall recite the exact nature of business intended to be transacted and no other business shall be transacted at such meetings.

Section 3. Due notice of all meetings shall be sent to each member of the Section. A quorum for all meetings of the Section shall consist of fifteen (15) members of the Section. In the absence of a quorum, no business shall be conducted.

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

- a. Minutes of previous meeting,
- b. Reports of officers,
- c. Reports of committees,
- d. Miscellaneous business,
- e. Reading of papers,
- f. Adjournment.

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 Section meetings not specifically provided in these bylaws shall be *Robert's Rules of Order, Newly Revised*.

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 Executive 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 National Affiliates of the Section may be assessed such voluntary annual Local Section dues as may be recommended by the Executive Committee and adopted by the Section.

Section 2. All Local Section Affiliates shall pay annual dues of not less than two dollars (\$2.00) as set by the Executive Committee, except that any student properly matriculated in any educational institution who wishes to become a Local Section Affiliate shall pay one-half of the Local Section Affiliate dues so long as such student status is maintained. Failure to pay such dues in advance shall terminate Local Section Affiliate status.

Section 3. The raising and collecting of funds other than dues may be authorized by a resolution adopted at any meeting of the Section or of the Executive Committee by a majority vote of the members voting, subject to the Constitution and Bylaws of the SOCIETY.

BYLAW XII

Amendments

Section 1. These bylaws may be amended in the following manner:

- a. The proposed amendment shall have been first submitted in writing to the Executive Committee at least fifteen (15) days prior to the meeting wherein it is to be considered and shall have been approved by a majority of the members of the Executive Committee.
- b. The proposed amendment shall be duplicated in full and sent to the members with the announcement of the meeting of the Section in which it is to be presented.
- c. A representative of the Executive Committee shall present the proposed amendment at a meeting of the Section, and the amendment is adopted by an affirmative vote of two-thirds (2/3) of the members present.

Section 2. The bylaws or amendments to the bylaws shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY.

BYLAW XIII

Dissolution of the Local Section

Upon dissolution of the Local 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, 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.