



**\*BYLAWS OF THE  
NEBRASKA SECTION  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I  
Name**

This organization shall be known as the Nebraska 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, or 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**

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\*Effective April 16, 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](mailto:bylaws@acs.org); [www.acs.org/bulletin5](http://www.acs.org/bulletin5))

Section 1. The rolls of the Section shall include those MEMBERS, STUDENT MEMBERS, and Society 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 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 Affiliate 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. Affiliates may not vote for or hold an elective position of the Section, vote on Articles of Incorporation, or bylaws of the Section. Local Section Affiliates 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** **Officers, Executive Committee, and Councilors**

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

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 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 4. The Executive Committee shall consist of the officers of the Section, the Councilor, Alternate Councilor, and three Members-at-Large. The Members-at-Large must be MEMBERS.

#### **BYLAW VI** **Terms of Office**

Section 1. Elected officers of the Section and three Members-at-Large shall serve for a term of one year beginning on January 1 or until successors are elected. The Chair-Elect shall automatically succeed to the office of Chair at the end of the term of office of the Chair. Reelection is permissible for other elected officers.

Section 2. Councilors and Alternate Councilors shall be elected for terms of three years beginning on January 1. Any vacancy in the position of Councilor or Alternate Councilor shall be filled for the remainder of the unexpired term at the time of the next annual election. The vacancy may be filled until the next annual election by appointment by the Executive Committee.

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 Chair by interim appointment for the period up to the next annual election, at which time the Section shall elect a MEMBER as described elsewhere in these bylaws.

**BYLAW VII**  
**Manner of Election**

Section 1. Officers, Members-at-Large, Councilor, and Alternate Councilor shall be elected by a ballot of the members of the Section. The candidates 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. The Executive Committee shall serve as the Nominating Committee. Prior to October 1, the Committee shall disseminate its slate of candidates to the Section, and shall accept additional nominations until October 15, from members of the Section, provided the nominations are seconded by another member. In order to qualify, all candidates nominated shall have indicated willingness to serve if elected.

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 requests it.

Section 4. The tabulation of ballots shall be completed not later than November 21. The election results shall be validated by the Nominating Committee. The results shall be distributed to the members and certified to the Executive Director of the SOCIETY prior to December 1.

Section 5. 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 VIII**  
**Duties**

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. Other duties may be assigned by the Executive Committee.

Section 2. The Chair of the Section shall serve as Chair 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 except as noted elsewhere in these bylaws, 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 Chair-Elect.

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 distribute to members and affiliates such notices as the business of the Section may require, to submit a report to the Section annually, 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 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.

Section 6. The duties of the three Members-at-Large of the Executive Committee shall be to represent the interests of the members and to consider how the Section's actions will affect its members.

## **BYLAW IX**

### **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. 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 notify the 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 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 X Committees**

Additional ad hoc committees may be established by the Chair of the Section for stated purposes.

### **BYLAW XI Meetings**

Section 1. The Executive Committee shall hold its governance meetings no less than quarterly. 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. The Section shall hold at least four 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 request of 20 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. The Executive Committee is responsible for carrying out the business of the Section. A quorum for the transaction of business at a Section meeting shall consist of 15 members of the Section. No business shall be conducted in the absence of a quorum.

Section 4. The Executive Committee shall set the order of business for regular meetings of the Section. The order of business may be suspended by a majority vote of the members present at any regular meeting.

Section 5. 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 XII**  
**Dues**

Section 1. Members of the Section, except MEMBERS in emeritus status of the SOCIETY, may be assessed voluntary Local Section dues in an amount set by the Executive Committee. Society Affiliates may be assessed annual Local Section dues in an amount 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 in advance shall automatically terminate the affiliation.

**BYLAW XIII**  
**Amendments**

Section 1. A petition to amend the bylaws may be initiated by the Executive Committee or by petition signed by at least 15 members. 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 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 15 members, it shall if practical, be submitted to C&B 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 a ballot on the amendment is provided. The Secretary shall distribute the ballot to all members on that date.

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, 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.

**BYLAW XIV**  
**Dissolution of 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.