

~~\*CHARTER~~ BYLAWS  
OF THE  
TAMPA BAY LOCAL SECTION  
OF THE  
AMERICAN CHEMICAL SOCIETY

Bylaw I  
Name

The name of this organization shall be the Tampa Bay Local 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. 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. This territory shall be divided into subsections as provided in the Section's Procedures Manual. The subsections shall operate in conformity with the bylaws of, and shall be responsible to, its parent Local Section.

Bylaw IV  
Members and Affiliates

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

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\*Effective August 24, 1994. Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY.

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

Local Section Affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. An ASSOCIATE MEMBER may not hold an elective position or serve as a Temporary Substitute Councilor. A National 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 National Affiliate may not serve as a voting member of the Executive Committee.

#### **Bylaw V Organization**

Section 1. The officers of the Section shall be a 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 consist of the officers of the Section, the Immediate Past Chair, the Councilors, ~~and~~ the Alternate Councilors, and such others as are specified in the Section's Procedures Manual.

#### **Bylaw VI Manner of Election and Terms of Office**

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

Section 2. Councilors and Alternate Councilors shall be elected for a term of three years beginning on January 1.

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, including those of Councilor or Alternate Councilor, 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 to 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 a Chair-Elect at its annual election.

Section 4. The Chair shall appoint a Nominating Committee as specified in the Section's Procedures Manual ~~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.

Section 5. 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 renominated. 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 6. The election of officers shall be conducted either at a regular meeting subsequent to that mentioned in Section 5 or, at the discretion of the Executive Committee, by ~~mail~~ ballot.

Section 7. Councilors and Alternate Councilors shall be elected by a ~~mail~~ ballot distributed to ~~of~~ the members of the Section in accordance with the Bylaws of the Society.

Section 8. Elections shall be completed and the results certified to the Executive Director of the SOCIETY by December 1, 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 nominees willing to serve.

Section 10. Ballots shall be sent to all eligible members of the Section. Ballots shall be returned ~~For mail ballots, no less than three weeks must be provided between the date~~

~~of mailing of ballots to the members and the deadline for their return to the Secretary or other designated officer of the Section~~ **no later than three weeks after the ballots are distributed.**

Section 11. ~~The mailing envelope containing the ballot shall be hand inscribed with the name of the voter and forwarded to the Secretary or other designated officer.~~ **Balloting procedures shall be consistent with those used in SOCIETY elections.**

Section 12. The Chair shall appoint as Tellers two or more members who are neither candidates for office nor members of the Executive Committee.

Section 13. The Secretary, or other designated officer of the Section, shall **determine the legitimacy of** ~~compare the hand inscribed name on the mailing envelope with the official list of members of the Section for all ballots received by the deadline.~~ **Those ballots that do not qualify shall be marked as VOID.** ~~Ballot envelopes not hand inscribed by an eligible voter shall be marked VOID. The Secretary,~~ **or other designated officer of the Section** shall transmit all **ballots** ~~envelopes~~ to the Tellers.

Section 14. The Tellers ~~shall open all envelopes verified as valid,~~ shall count the **legitimate** ~~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 ~~and the number of invalidated envelopes,~~ shall be reported to the Chair. All ~~ballots~~ **envelopes** marked VOID **or rejected** and all **valid** ballots shall be returned to the Secretary.

Section 15. In case of a tie vote for any elective position, the Executive Committee shall select from among the tied candidates.

Section 16. 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 17. The Secretary shall retain ~~all mailing envelopes and~~ all ballots for at least 90 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 **by the Section's Procedures Manual.** ~~such~~ Other duties as may be assigned by the Executive Committee.

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, by the Section's Procedures Manual, or by 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, and the Section's Procedures Manual.

**Bylaw VIII**  
**Committees 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.

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 that the Chair is the official in question, the Vice-Chair or 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.
- (d) 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.
- (e) 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.
- (f) 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 IX MeetingsCommittees**

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

#### **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 fifteen (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 sent to each member and affiliate of the Section. A quorum for transaction of business at a Section meeting shall consist of fifteen (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~~ a number specified in the Section's Procedures Manual, called meetings of the Executive Committee shall adjourn to a date.

#### **Bylaw XXI Finances**

Section 1. All members and assigned ~~National~~ 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. At the discretion of the Executive Committee, Student Affiliates of the SOCIETY may be enrolled as Local Section Affiliates without the payment of Section dues.

#### **Bylaw XIXII Amendments**

Section 1. A proposed amendment to these bylaws must first be submitted in writing to the Executive Committee. If it is approved by the Executive Committee, the Secretary shall make the text of the proposed amendment ~~furnish~~ available 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. 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 will be adopted at the subsequent meeting of the Section if it receives an

affirmative vote by two-thirds (2/3) of the members present.

Alternatively, or in the absence of a quorum at the meeting during which the vote is scheduled, a ballot may be used provided that both the current language and the amended language of the affected bylaw(s), together with an explanation of the change(s), have been published or accompany the ballots. A deadline date, at least three (3) weeks after distribution mailing 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 (2/3) 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 fifteen (15) members or 3% 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 4. 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 ~~XIX~~XIII**  
**Dissolution of the Local Section**

Upon the 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, 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.