



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

**BYLAW I
Name**

This organization shall be known as the Maine Section (hereafter referred to as the “Section”) of the AMERICAN CHEMICAL SOCIETY (hereafter 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 the Bylaws of the SOCIETY.

**BYLAW III
Headquarters**

The Section shall have its headquarters at Orono. Any change in the location of the headquarters may be made by the Executive Committee.

**BYLAW IV
Territory**

The Section shall have such territory as is allotted to it by the SOCIETY.

***Effective October 15, 2010.** 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)

BYLAW V
Members and Affiliates

Section 1. The members of the Section shall consist of members of the SOCIETY residing in the territory of the Section, provided that 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 and Society Affiliates as authorized in the Constitution and Bylaws of the SOCIETY. Society Affiliates and Local Section Affiliates may not vote or hold an elective position of the Section or vote on Articles of Incorporation or the bylaws of the Section. In addition, Society Affiliates may serve as non-voting members of the Executive Committee whereas Local Section Affiliates may not serve as members of the Executive Committee.

Section 3. A STUDENT MEMBER may hold an elective position except Councilor or Alternate Councilor. A STUDENT MEMBER may not serve as a Temporary Substitute Councilor.

Section 4. Members and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.

BYLAW VI
Officers and Manner of Election

Section 1. The officers of the Section shall be a Chair, a Chair-Elect, the Past Chair, a Secretary, a Treasurer, and an Archivist. The offices of Secretary and Treasurer may be held by one person. The Archivist may in addition hold any one other office.

Section 2. The Secretary, Treasurer, Archivist, and Chair-Elect shall be elected biennially for a term of two years. The Councilor and Alternate Councilor(s) shall be elected for three-year terms. In the case of a tie, run-off elections shall be held until a candidate is elected. All officers shall assume their responsibilities on January 1 of the first year of their terms, or as soon thereafter as they are qualified, and shall serve until their duly elected successors take office. In the event of a vacancy in the office of Chair, the Chair-Elect shall immediately succeed to the office of Chair for the remainder of the calendar year plus two additional years. All other vacancies shall be filled by the Executive Committee by interim appointment for the period up to the next regular election. In the event that an office would be left vacant because of the lack of a replacement, the departing officer may serve beyond their regular term until a replacement can be found through election.

Section 3. Councilors and Alternate Councilors are considered officials of the Section. Any vacancy in the position of Councilor or Alternate Councilor shall be filled at the time of the next annual election, with the vacancy filled until the next annual election by appointment by the Executive Committee.

Section 4. In the year of an election, the Chair shall appoint a Nominating Committee of not less than three members to provide nominees for the elective offices named above.

Section 5. The Nominating Committee shall present its report to the Secretary not later than May 15, and the Secretary shall distribute this list to each member not later than May 31. Additional nominations may be made by written petition by the Section members. Such petitions must be received by the Secretary not later than July 1.

Section 6. Irrespective of other provisions of these bylaws, the name of a nominee shall be presented for balloting only if the nominee has indicated a willingness to serve if elected. It shall be the responsibility of the group submitting a nomination to the Secretary to present to the Secretary, at the same time, evidence of the willingness of the nominee to serve if elected.

Section 7. The Secretary shall prepare a ballot of the nominees for the elective offices and shall distribute the ballot to each member. Ballots shall be returned to the Secretary by mail, hand or acceptable electronic means as described below.

Section 8. 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.

Section 9. Balloting may be conducted by paper or electronic means. All valid ballots shall be counted before December 1. The Chair or Secretary shall certify the results and notify the membership as soon as possible.

BYLAW VII

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 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.

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 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 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**

Section 1. The duties of officers shall be such as usually pertain to the offices they hold. The Chair, Chair-Elect, and Treasurer shall be *ex officio* members of all Standing Committees.

Section 2. The Treasurer shall receive and deposit all funds paid to the Section, and shall disburse funds of the Section upon vouchers approved by the Executive Committee.

Section 3. The Archivist shall keep all records of the Section, except those of the current year, which shall be kept by the Secretary.

Section 4. The Secretary or outgoing Secretary shall distribute to each incoming officer and official, a copy of the Section's bylaws. The Archivist shall keep copies on file and shall be prepared to distribute a copy to any member who requests it.

Section 5. Details of duties of officers and of Section operations shall be specified, accumulated, and kept up to date in an Operations Manual to be maintained by the Secretary or such alternative as may be designated by the Executive Committee.

BYLAW IX

Committees and Their Duties

Section 1. The Standing Committees shall be an Executive Committee, a Program Committee, a Long-Range Planning Committee, an Awards Committee, and a Budget Committee. Other committees may be necessary for the proper conduct of the affairs of the Section.

Section 2. The Executive Committee shall consist of the officers and officials of the Section (except the Archivist) as stated above, and shall have charge of the affairs, funds, and property of the Section, and of all other matters not otherwise provided for in the bylaws. The Chair shall serve as Chair of this committee.

Section 3. The Program Committee shall consist of its *ex officio* members and such other members as the Chair shall appoint. It shall be the duty of the Program Committee to plan in the spring of each year for the meetings and program of the Section during the ensuing year. The Chair-Elect shall serve as Chair of this committee.

Section 4. The Long-Range Planning Committee shall consist of its *ex officio* members and two other members appointed by the Section Chair for a term of four years. Vacancies on this committee shall be filled by an appointment by the Section Chair when the vacancy arises, for a term equal to the remaining term of the member being replaced. It shall be the duty of the Long-Range Planning Committee to examine all proposals related to long-range Section activities that are referred to it by the Section or that originated within the committee itself, and to present these to the Section for its consideration. Each year, at the first meeting of this committee, it shall elect its Chair for the year.

Section 5. The Awards Committee shall consist of its *ex officio* members and one additional member appointed by the Section Chair each year for a term of one year. It shall be the duty of the Awards Committee to manage all award and grant programs of the Section and to select the recipients of such awards and grants. The Section Chair-Elect shall serve as Chair of this committee.

Section 6. The Budget Committee shall consist of its *ex officio* members and such other members as the Section Chair shall appoint. It shall be the duty of the Budget Committee to prepare in the spring of each year a budget for the Section for the ensuing year and to present this budget to the Section for its approval. The Treasurer shall serve as Chair of this committee.

Section 7. Ordinarily, appointed members of Standing Committees shall be appointed in January of each year and shall assume their duties immediately.

Section 8. All committees not otherwise provided for in these bylaws shall be appointed from time to time by the Section Chair with approval by the Executive Committee.

Section 9. The Executive Committee shall oversee the functioning of all committees.

BYLAW X Meetings

Section 1. There shall be, at the minimum, a Fall General Meeting and a Spring General Meeting. These meetings may coincide with other Section Activities such as presentations by invited speakers.

Section 2. Special meetings may be called by the Executive Committee or by the Secretary on request of notice of five members of the Section. The calls for special meetings shall recite the exact nature of the business intended to be transacted and no other business shall transpire at such meetings.

Section 3. A quorum for regular and special meetings of the Section shall consist of 10 members of the Section. The quorum for committee meetings shall be a majority of its members. In the absence of a quorum, regular and special meetings shall adjourn to a date.

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 Executive Committee. Meetings may be conducted face-to-face or electronically involving a majority of members of the Executive Committee.

BYLAW XI Dues

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

- a. The proposed amendment have been first submitted to the Executive Committee and shall have been evaluated by the members of that Committee.

- b. The members of the Section shall be notified of the proposed amendment and the reasons for said amendment being considered. Members will be provided thirty days to comment on the proposed amendments.
- c. If a dispute arises regarding approval of said amendment, the Executive Committee may resolve the issue by majority vote of the Committee after hearing discussion of the issue at a regular meeting of the Section, or the Committee may decide to hold a special election to resolve it.
- d. After the meeting of the Section at which the amendment has been presented and approved for a vote by the Executive Committee, the Section Secretary shall send the proposed bylaw amendment(s) to the SOCIETY's Committee on Constitution and Bylaws for review. After receipt of the review, the Executive Committee will then make appropriate changes, if necessary. After any changes have been made, and any further disputes resolved using the procedures set out above, the Secretary shall distribute to all Section members a ballot that includes a suitable explanation of the amendment(s) and that twenty days thereafter, shall close the voting and count all valid ballots received.
- e. That at least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Section 2. The Secretary shall make suitable report of the outcome of the ballot regarding the amendment for the next regular meeting of the Section and thereafter within one month to the SOCIETY.

Section 3. 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 XIII **Dissolution**

Section 1. 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, 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.