



***BYLAWS OF THE
PERMIAN BASIN SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

This organization shall be known as the Permian Basin 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. In addition, the objects of the Section are to encourage and to advance chemistry in all its branches, and by its meetings, reports, papers, discussions, and publications, to promote scientific education, interest, and inquiry.

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

**BYLAW III
Territory and Headquarters**

Section 1. The territory of the Section shall be that assigned to it by the SOCIETY.

Section 2. The headquarters of the Section shall be in Midland, Texas, as provided by the charter.

* **Effective November 30, 2011.** 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 IV
Members and Affiliates

Section 1. The rolls of this Section shall include those MEMBERS, STUDENT MEMBERS, and Society Affiliates of the SOCIETY residing in the territory of the Section, provided that exceptions to this rule shall be in conformity with the Constitution and Bylaws of the SOCIETY. MEMBERS and STUDENT MEMBERS shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.

Section 2.

- a. Any person who is not a member or Society Affiliate but who is interested in the objects of the Section as defined elsewhere in these bylaws may become a Local Section Affiliate, as provided in the Bylaws of the SOCIETY. Any person not eligible for SOCIETY membership but desiring to become a Local Section Affiliate may make application to the Membership Committee and upon endorsement by a member, acceptance by this Committee shall constitute election as a Local Section Affiliate.
- b. Affiliates shall be entitled to all the privileges of membership in the Local Section, except those of voting and holding elective office. 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. Society Affiliates may be appointed as Committee Chairs and may serve on the Executive Committee in a non-voting capacity.

BYLAW V
Organization

Section 1. The officers of the Section shall be a Chair, Chair-Elect, Secretary, and Treasurer. The offices of Secretary and Treasurer may be combined.

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.

Section 4. All officers and other persons elected by the members, except Councilors and Alternate Councilors, shall be chosen from the MEMBERS or STUDENT MEMBERS. Councilors, Alternate Councilors, and Temporary Substitute Councilors must be MEMBERS.

BYLAW VI
Manner of Election and Terms of Office

Section 1. Each elected officer of the Section shall serve for a term of one year, beginning on January 1 or until his/her successor is elected. The Chair-Elect shall succeed to the office of Chair upon completion of that term of office.

Section 2. Councilors and Alternate Councilors shall be elected for a term of three years, beginning 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 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 to fill out the unexpired term, if any. In the event the office of the Chair-Elect is filled by such interim appointment, the Section shall elect both a Chair and Chair-Elect at its annual election. If the position of Councilor or Alternate Councilor is so filled by interim appointment, only a MEMBER may be chosen.

Section 4. During April, the Chair shall appoint a Nominating Committee composed of three members, no two from the same geographical location. The Committee shall meet prior to May and select at least two nominees for each office to be filled. The nominees are to be announced to the Section in May. Additional nominees may be requested from the membership. No name shall be placed in formal nomination without prior consent of the nominee. Balloting procedures shall meet the requirements of (1) fair balloting that is open to all eligible members, (2) protection against fraudulent balloting, (3) ballot archiving, and (4) the timely reporting and archiving of ballot results. The final ballot of nominees should be completed by the Nominating Committee and approved by the Executive Committee. During September, the Secretary shall distribute to each member a ballot containing the names of all the properly selected candidates. The Nominating Committee shall validate the ballot count and ensure that the results are announced to the membership prior to November 15.

The positions to be filled shall be listed on the ballot as follows:

- a. Chair-Elect
- b. Secretary
- c. Treasurer
- d. Councilor and Alternate Councilor

Section 5. There shall be at least three nominees for Councilor and Alternate Councilor. The one receiving the most votes shall become Councilor and the next shall be the Alternate Councilor.

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 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 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 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 VIII **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 Executive Committee.

- a. The Chair shall serve as Chair of the Executive Committee and shall appoint all committees authorized in these bylaws or by the Executive Committee. The Chair shall perform such other duties as usually pertain to the office of Chair. As Immediate Past Chair, he/she is responsible for the completion of the Section's Annual Report to the SOCIETY for the year in which he/she was Chair.
- b. The Chair-Elect shall perform the duties of the Chair of the Section during a temporary absence of the latter. The Chair-Elect shall plan and arrange the Section's meeting programs for the year during which he/she will be Chair.
- c. The Secretary shall perform all duties usual to the office; these shall include issuing or causing the issuance of notices of all meetings of the Section and Executive Committee; keeping an up-to-date roll of the members and affiliates of the Section; and making such reports to the SOCIETY as are regularly required.
- d. 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 as directed by the Executive Committee. The Treasurer shall prepare and submit to the SOCIETY an audited statement of receipts and expenditures and investments of funds as required by the Constitution and Bylaws of the Society.

Section 2. 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.

BYLAW IX **Committees**

There shall be the following standing committees:

- a. Membership
- b. Program
- c. Publicity, and
- d. Such others as the Executive Committee shall deem necessary

BYLAW X

Meetings

Section 1. The Section shall hold no fewer than two regular meetings each year, preferably one in the fall and one in the spring, at places designated by the Program Committee.

Section 2. The Section may hold special meetings at the call of the Executive Committee or at the request of 10 percent of the 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 all meetings of the Section shall consist of 10 percent of the members of the Section. In the absence of a quorum, no business shall be conducted that requires a vote.

Section 4. At regular meetings of the Section, the order of business shall be as set by the Chair.

Section 5. The Executive Committee shall meet at least two times each year 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.

Section 6. 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 XI

Dues and Finances

Section 1. The Section's dues for Section members and Society Affiliates shall be set by the Executive Committee. Payment of such dues shall be voluntary.

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. Two or more disinterested members, appointed by an officer with no authority to disburse funds, shall conduct an annual audit and submit a report to the Executive Committee by January 31.

BYLAW XII
Amendments

Section 1. These bylaws shall be amended as follows:

- a. The proposed amendments(s) shall have been first submitted to the Executive Committee by at least five members, or shall have been raised by the Executive Committee, and shall have been evaluated and approved by a majority of the members of the Executive Committee.
- b. If a dispute arises regarding approval of said amendment(s), 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 of the Section to resolve it.
- c. The Section Secretary shall send the proposed bylaw amendment(s) to the SOCIETY's Committee on Constitution and Bylaws for a preliminary review. After receipt of the review, the Executive Committee will then make appropriate changes, as necessary. The Secretary shall then distribute to all Section members a suitable explanation of the bylaw amendment(s).
- d. At least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Section 2. The Secretary shall distribute the outcome of the ballot 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 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 of 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.