



APPROVED AS AMENDED*

by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society, under the authority of the ACS Governing Documents.

John Lewis
Secretary of the Council

***BYLAWS OF THE
CALIFORNIA LOS PADRES SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the California Los Padres 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, 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 May 4, 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)

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 any exceptions to this rule shall be 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.

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

Section 4. Local Section Affiliates and Society Affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. 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.

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 and 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, the Alternate Councilors, and up to nine additional elected members.

BYLAW VI Manner of Election and Terms of Office

Section 1. The officers of the Section and members of the Executive Committee shall be members, shall be elected by the members of the Section, and shall take office on January 1. Officers 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, Alternate Councilors, and additional members of the Executive Committee shall be elected for a term of three years beginning on January 1. In any given year, up to three additional members of the Executive Committee may be elected to serve three-year terms.

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 from among the members by interim appointment for the period up to the next annual

election, at which time the Section shall 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 Nominations Committee consisting of a Chair and two or more members of the Section not later than September of each year. Not more than one member of the Executive Committee may be a member of the Nominations Committee.

Section 5. The Nominations 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 signed by at least 20 percent of the members, to be received by the Executive Committee no later than three weeks prior to the next regular meeting of the Section. 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 elsewhere in these bylaws or, at the discretion of the Executive Committee, by ballot.

Section 7. Councilors and Alternate Councilors shall be elected from MEMBERS of the Section by a ballot that is distributed to all members of the Section.

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. No less than three weeks must be provided between the date of distribution of ballots to the members and the deadline for their return to the Secretary or other designated officer of the Section. 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 balloting results.

Section 11. For written ballots, 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.

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. For written ballots, the Secretary, or other designated officer of the Section, shall 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. Ballot envelopes not hand-inscribed by an eligible voter shall be marked VOID. The Secretary shall convey all envelopes to the Tellers.

Section 14. The Tellers shall verify and count the 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 ballot envelopes marked VOID and all 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 ninety days after either the announcement of the results to the membership or until any disputes have been resolved, whichever is later.

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 the Section.

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 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 (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 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 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 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.

BYLAW IX

Committees

Section 1. The Executive Committee shall establish additional committees as necessary for the proper operation of the Section. Unless otherwise specified, the committee chairs will be appointed by the Chair of the Section, with the approval of the Executive Committee. The standing committees of the Section, with membership and duties, are defined below.

Section 2. Budget Committee: the Treasurer of the Section shall serve as Chair, with two other members of the Executive Committee as members. The Budget Committee shall advise the Executive Committee of the financial status and needs of the Section and recommend any actions needed to maintain a secure fiscal base. The two Executive Committee members, with one chosen as Chair, shall be responsible for providing an audit of the Section records to the Executive Committee at its last meeting of each year.

Section 3. Bylaws Committee: a Chair shall be chosen from the ranks of the Executive Committee, and two additional Section members shall be appointed. The responsibilities of this committee include review of the bylaws and any proposed revisions of the bylaws to ensure conformity of bylaws with the Constitution and Bylaws of the SOCIETY.

Section 4. Education Committee: consisting of a Chair and at least three members, this committee shall advise the Executive Committee on all matters dealing with education from kindergarten through postdoctoral and continuing education, in order to further SOCIETY goals of informing the public and assisting chemists.

Section 5. Employment and Careers Committee: a Chair and two or more members shall be appointed; this committee will maintain an information source for local employment opportunities for chemists, serve as a clearinghouse for local employers, and assist in the distribution of career information and related duties as assigned by the Executive Committee.

Section 6. Industry Relations Committee: a Chair and at least two members shall be appointed. The duties of this committee shall include interfacing with the SOCIETY's Advisory Board for Industry Relations on matters of interest to industrial chemists; facilitating the participation of industrial members in Section and SOCIETY functions; promoting and encouraging careers in industrial chemistry, especially in the local region; and supporting related activities of other Section committees.

Section 7. Membership and Hospitality Committee: consisting of a Chair and at least two members to be appointed, the role of this committee shall be to advise on the hosting of Section meetings, to work with the Secretary of the Section to maintain the membership list, and to help develop membership benefits to encourage participation by all members in Section activities.

Section 8. Nominations Committee: the membership and duties of the Nominations Committee are those defined elsewhere in these bylaws. In addition, this committee shall advise the Executive Committee on prospective members for standing and ad hoc committees. The committee shall attempt to provide at least two candidates for each elective office.

Section 9. Retired Chemists Committee: a Chair from the ranks of retired or emeritus members, as defined in the SOCIETY'S Bylaws, and up to two additional members shall be appointed. This committee shall advise the Executive Committee on ways and means to encourage the continued participation of retired members in Section activities.

BYLAW X

Meetings

Section 1. The Section shall hold regular meetings at places and times designated by the Executive Committee. The rules of order in the conduct of Section meetings not specifically provided in these bylaws or in the SOCIETY's documents shall be the most recent edition of *Robert's Rules of Order Newly Revised*.

Section 2. The Section may hold special meetings at the call of the Executive Committee or at the written request of 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 at least 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, called meetings of the Executive Committee shall adjourn to a date.

BYLAW XI

Finances

Section 1. All members and assigned Society Affiliates of the Section may be requested to pay voluntarily such annual Section dues as may be set by the Executive Committee.

Section 2. The annual dues for Local Section Affiliates shall be determined by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Such dues shall be at least two dollars (\$2.00) per annum. Failure to pay such dues for the current year shall terminate the affiliation.

Section 3. Dues for STUDENT MEMBERS shall be at least one dollar (\$1.00) per annum. The Executive Committee may waive Section dues for STUDENT MEMBERS of the SOCIETY.

BYLAW XII

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 distribute copies of the proposed amendment to all members of the Section at the time when notice of the next meeting of the Section is given.

Section 2. Ballots for the vote on the proposed amendment will be distributed to all members, 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 weeks after distribution 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.

Alternatively, 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.

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 15 members or three percent 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 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 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.