

**\*BYLAWS OF THE  
DIVISION OF ENVIRONMENTAL CHEMISTRY  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I—NAME AND OBJECTS**

Section 1. The name of this organization shall be the Division of Environmental Chemistry. hereinafter referred to as the Division) of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as the SOCIETY).

Section 2. The objects of the Division shall be to promote research, disseminate information, and improve education and public awareness regarding the chemistry of the environment in all of its aspects. A further object shall be to provide assistance to the SOCIETY and its committees and Divisions in these same matters.

**BYLAW II—MEMBERS AND AFFILIATES**

Section 1. The rolls of the Division shall be opened to all members and Society Affiliates of the SOCIETY upon request to the Secretary of the Division and payment of dues.

Section 2. A person who is not a member or Society Affiliate of the SOCIETY, but who wishes to participate in the activities of this Division may become a Division Affiliate provided that person is not a chemist or chemical engineer residing in the United States, provided the person's application is approved by the Executive Committee, and provided the person pay dues established for Division Affiliates. A Division Affiliate shall have all the privileges of membership except those of voting and holding office or serving as a member of its Executive Committee.

Section 3. Any member or affiliate may resign from the Division by submitting a resignation, in writing, to the Secretary during the year for which the member or affiliate's dues are paid.

Section 4a. The name of any member or Society Affiliate of the Division who is in arrears in payment of dues by more than one year shall be stricken from the rolls. Any person so dropped may be reinstated by paying the arrearages in dues. Only paid members or Society Affiliates shall receive preprints.

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\***Effective February 10, 2003.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society.

Section 4b. A Division Affiliate shall retain affiliate status only so long as payment is made of Division dues. The name of any Division Affiliate in arrears in payment of dues shall be stricken from the rolls.

### **BYLAW III—OFFICERS**

Section 1. The officers of this Division shall be a President, a President-Elect (who shall be referred to respectively as Chair and Chair-Elect), a Secretary, and a Treasurer. The offices of Secretary and Treasurer may not be held by the same person. The offices of President and Secretary may not be held by the same person.

Section 2. Duties of Officers.

Section 2a. It shall be the duty of the Chair to preside at meetings of the Executive Committee, to carry into effect decisions and recommendations of that Committee, to preside at stated meetings of the Division, to appoint all committees except the Executive Committee, and to appoint annually all committee chairs except that of the Budget and Finance Committee. The Chair shall send appropriate historical records to the Chair of the Archival Committee within one year of termination of term as Chair.

Section 2b. In the absence of the Chair, the duties of the office shall be executed by the Chair-Elect. In the absence of both the Chair and the Chair-Elect, the duties of the office shall be executed by the Secretary.

Section 2c. It shall be the duty of the Secretary to keep a full and accurate record of the proceedings of the Division and of the Executive Committee, to maintain a list of members and affiliate and to send to members and affiliates such notices as the business of the Division may require. The Secretary shall submit an annual report to the Council Committee on Divisional Activities through the Executive Director of the SOCIETY and to the Division at its annual meeting. The Secretary shall cause to be sent to each member and affiliates at least two weeks before the regular meeting of the SOCIETY abstracts of papers to be presented before the Division. The Secretary shall be custodian of the files of the Division and shall send appropriate historical records to the Chair of the Archival Committee within one year of termination of the Secretary's term of office.

Section 2d. The Treasurer shall have charge of the funds of the Division and shall make all disbursements subject to the authorization of the Executive Committee. The Treasurer shall report to the Division at its annual meeting. The Treasurer will be the Chair of the Budget and Finance Committee. At the end of the Treasurer's term of office, an audit of the Division's financial records will be conducted. The Executive Committee shall determine if the audit will be conducted by an independent auditing committee or a commercial CPA firm. If the Executive Committee decides to use an independent auditing committee, the Auditing Committee shall be established for a term of six months and will report the results of the audit at the end of the Committee's term. The Auditing

Committee shall consist of a least three members of the Executive Committee or other people, as shall be agreed upon by the Executive Committee. The Executive Committee shall determine annually if any additional audits will be performed and if those audits will be conducted by an independent auditing committee or a commercial CPA firm.

### Section 3. Board of Directors.

Section 3a. The Board of Directors (which shall be referred to as the Executive Committee) shall have 16 or more members, including the officers of the Division, the Immediate Past Chair, the Councilors and Alternate Councilors, four elected Members-at-Large, and the chairs of the standing committees.

Section 3b. The Chair and Secretary of the Division shall be Chair and Secretary, respectively, of the Executive Committee.

Section 3c. The standing committees of the Executive Committee shall be the following: Archival, Awards, Budget and Finance, Long-Range Planning, Membership Services, Nominating, Program, Publications, Public Affairs, and Social. At least five of these committee chairs shall be elected members of the Executive Committee.

Section 3d. The Executive Committee shall conduct the business of the Division and direct its activities. The Committee shall meet as early as possible at each meeting of the SOCIETY to consider the affairs of the Division and to receive reports of its committees. The Executive Committee shall be responsible for all expenditures that it may authorize, except as far as the action of the SOCIETY shall have previously provided for such expenditures.

### Section 4. Elections.

Section 4a. The Chair-Elect shall advance to the office of Chair. The Executive Committee shall appoint a Chair if the Chair-Elect is unable to accept the duties and responsibilities of the office of Chair.

Section 4b. Upon taking office and prior to the spring national meeting, the Chair of the Division shall appoint a Nominating Committee of three members, the duty of which shall be to nominate, before the annual meeting, candidates for officers, Councilor, Alternate Councilor, and Members-at-Large of the Executive Committee for election. Any member may be nominated for an office by signed petition of fifty (50) members of the Division, and such name shall automatically be included in the election ballot. To be valid, nominations must be signed by each member making the nomination and received by the Nominating Committee Chair with two weeks after the spring national meeting of the SOCIETY of the year in which the election is to be held.

Section 4c. Candidates for all offices must be members of the SOCIETY. In addition, candidates for Chair, Chair-Elect, Secretary, Treasurer, Councilor, Alternate Councilor, and Member-at-Large of the Executive Committee shall have been members of the

Division for at least two years prior to their election. Further, the candidates for Chair-Elect, Secretary, Treasurer, Councilor, and Alternate Councilor shall have been members of the Executive Committee for at least two years prior to their election unless there are no members of the Executive Committee willing to stand. Candidates for Councilor and Alternate Councilor must be MEMBERS of the SOCIETY.

Section 4d. The Nominating Committee shall submit a list of nominations to the Executive Committee for approval. Once the list is approved, the Secretary shall prepare a mail ballot that will include the nominees' biographies and any statements they wish to make. The mail ballot and biographical information may be included in the appropriate issue of its newsletter, *EnvirofACS*, or mailed separately to the members of the Division. Instructions for returning the ballot, including time and place of receipt and the deadline for the closing of the elections, shall be included with the ballot and biographies.

Section 4e. The eligibility of all nominees shall be certified by the Secretary before the ballots are prepared and mailed.

Section 4f. Upon taking office and prior to the spring national meeting, the Chair of the Division shall appoint a Tellers Committee Chair. No member of the Tellers Committee shall be a candidate in the election. The Tellers Committee shall count all ballots. The Secretary shall provide an accurate list of members to establish validity of the ballots. Any ballot envelope not accompanied by a member's name on the mailing envelope shall be rejected.

Section 4g. A majority of the members voting is sufficient to elect. Should a tie vote occur for any position, a vote of the Executive Committee shall resolve the tie.

Section 4h. Upon completion of the counting of the ballots, the Chair shall declare elected to each position the candidates receiving the most votes and shall notify the candidates and the Secretary of the Division. The Secretary shall notify the Executive Director of the SOCIETY by December 1 of the results of the election. The Secretary shall notify each Division member by giving the results of the election through the next general communication to the membership.

Section 5. Term of Office.

Section 5a. The Chair and Chair-Elect of the Division shall serve for two years or until their successors are chosen. Neither of these officers shall be eligible for re-election for successive terms. This clause shall not be construed to mean that officers may not be re-elected at some later date.

Section 5b. The Secretary and Treasurer shall serve for two years or until their successors are chosen. These officers shall be eligible for re-election for successive terms.

Section 5c. Terms of office of the Members-at-Large of the Executive Committee shall be one year. They shall be eligible for re-election for successive terms.

Section 5d. Officers and elected members of the Executive Committee shall assume office on January 1 of the year following their election.

Section 5e. 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 Division shall choose a member to fill out the unexpired term, if any. In the event of the office of Chair-Elect is filled by such interim appointment, the Division shall elect both a Chair and Chair-Elect at its next annual election.

#### **BYLAW IV—COUNCILORS**

Section 1. The Division shall have Councilors and Alternate Councilors, as provided in the SOCIETY's Constitution and Bylaws. Normally at least one Councilor and one Alternate Councilor shall be elected each year preceding the expiration of the term of office of any Councilor and Alternate Councilor. Their election shall take place at the same time and under the same conditions as that of the officers of the Division. If, for any reason, there exists a vacancy, a second Councilor and/or a second Alternate Councilor shall be elected at the same time but only to serve for the balance of the unexpired term of the replaced person so as to produce rotation.

Section 2. Except as specified in Section 1, the term of office of each Councilor and Alternate Councilor shall be three years. They shall assume office on January 1 of the year following their election.

Section 3. It shall be the duty of the Councilors to represent the Division in the Council of the SOCIETY.

Section 4. In case one or more of the Councilors are unable to attend the Council meetings, their place or places shall be taken by one or more of the Alternate Councilors.

#### **BYLAW V—SPECIAL AND STANDING COMMITTEES**

Section 1. The Executive Committee shall have the standing committees listed below. The duties of each committee are as implied by their titles.

Archival	Nominating
Awards	Program
Budget and Finance	Publications
Long-Range Planning	Public Affairs
Membership Services	Social

Section 2. The Chair shall appoint, from time to time, committees of the Executive Committee to consider and to report upon such special matters as may be delegated to them.

### **BYLAW VI—DUES**

The annual dues of the Division shall be set by the Executive Committee, subject to approval at the next business meeting of the Division.

### **BYLAW VII—MEETINGS**

Section 1. The Division shall meet at each national meeting of the SOCIETY, unless the Executive Committee votes otherwise, provided that there shall be at least one meeting per year.

Section 2. The annual meeting of the Division shall be held at the time and place set by the Executive Committee, and at least four weeks notice shall be provided to the members. Division business requiring the vote of the membership shall be conducted only at this meeting.

Section 3. One-third of the Executive Committee members shall constitute a quorum at Executive Committee meetings. Sixteen members of the Division shall constitute a quorum at Division business meetings.

### **BYLAW VIII—PAPERS SUBMITTED FOR PRESENTATION**

Section 1. The Program Committee Chair of the Division shall be empowered to accept or reject papers submitted for presentation at meetings of the Division.

Section 2. The rules for papers presented before meetings of the SOCIETY shall govern this Division.

### **BYLAW IX—DISSOLUTION OF THE DIVISION**

Upon dissolution of the Division, any assets of the Division remaining thereafter shall be conveyed to such organization then existent as is dedicated to objects similar to those of the Division and the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Division 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 Division's dissolution.

### **BYLAW X—AMENDMENTS**

Section 1. A proposed amendment of these bylaws must first be submitted to the Executive Committee. If it is approved by the Executive Committee, the Secretary shall

furnish all members of the Division with copies of the proposed amendment at least eight (8) weeks before the next business meeting of the Division at a national meeting of the SOCIETY.

At the meeting of the Division after notice of the proposed amendment is given, the amendment will be adopted if it receives an affirmative vote by two-thirds (2/3) of the members present, provided there is a quorum. Alternatively, or failing the presence of a quorum, the ballot may be taken by the mailing to all Division members. Two-thirds (2/3) of the valid ballots received must be affirmative for adoption.

Any proposed amendment not approved by the Executive Committee within 60 days from the time it is submitted thereto may be brought to a vote of the membership in the aforementioned manner by a petition signed by not less than fifteen percent (15%) of the members of the Division.

Section 2. An amendment to these bylaws, after adoption by the Division, 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 XI—RECALL OF ELECTED OFFICIALS**

Section 1. With the exception of Councilors and Alternate Councilors, the elected officials of the Division (officers or elected Executive Committee members) are subject to recall for the 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 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 with thirty (30) days.

- (a) The Executive Committee shall promptly continue the removal 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 Division 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 (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.

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 Division 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 Division and the Executive Director of the SOCIETY shall be informed of the results of the recall process and the replacement of the official.