



***BYLAWS FOR THE
DIVISION OF SMALL CHEMICAL BUSINESSES
OF THE
AMERICAN CHEMICAL SOCIETY**

BYLAW I—NAME

Section 1.0 The name of this organization shall be the Division of Small Chemical Businesses (hereinafter referred to as “the Division”) of the American Chemical Society (hereinafter referred to as “the SOCIETY”).

BYLAW II—OBJECTS

Section 1.0 The objects of this Division shall be those of the SOCIETY as stated in the Constitution of the SOCIETY.

Section 2.0 Nothing in these bylaws shall be inconsistent with the Charter, the Constitution, and the Bylaws of the SOCIETY.

Section 3.0 Other objects of this Division shall be:

- 3.1 To aid in the formation, development, and growth of small chemical businesses.
- 3.2 To address the legal, social, educational, legislative, regulatory, and economic needs of self-employed chemists and ACS members who are employed by small chemical businesses.
- 3.3 To encourage, promote, and organize personal interaction among members of the Division and other chemists, institutions, or organizations interested in the promotion of free enterprise among chemists.
- 3.4 To serve as a clearinghouse for information about services available to members engaged in or planning to start small chemical businesses.

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- 3.5 To provide liaison between small chemical businesses needing part-time employees and chemistry students needing income and experience.
- 3.6 To develop symposia and general sessions with subjects or topics related to the needs and interests of small chemical businesses at national, regional, and local meetings of the SOCIETY or of the Division.
- 3.7 To foster communication among its members by publishing the substance of its programs and symposia in 3.6 above, by publishing a newsletter, and by other modes as may be deemed appropriate.
- 3.8 To provide the expertise and experience of its members to the SOCIETY and for the betterment of the public.

BYLAW III—MEMBERS, AFFILIATES AND PATRONS

Section 1.0 Membership in the Division is open to all members of the SOCIETY. Any member of the SOCIETY may join the Division by enrolling with the Division's Secretary and paying the established annual dues.

- 1.1 Any emeritus member of the SOCIETY may become a member of the Division upon payment of one-half the annual dues established for members.

Section 2.0 A National Affiliate of the SOCIETY may become a National Affiliate of the Division, provided that Divisional dues established for National Affiliates are paid. A National Affiliate shall have all the privileges of membership in the Division except voting for or holding an elective position of the Division, voting on articles of incorporation and bylaws, or serving as a member of the Division Executive Committee or equivalent policy-making body.

Section 3.0 A person who is not a member of the SOCIETY, but who wishes to participate in the activities of this Division, may become a Division Affiliate provided that he/she endorses the goals of the Division and of the SOCIETY, is approved by the Executive Committee, and provided that dues established for Division Affiliates are paid. A Division Affiliate shall have all the privileges of membership in the Division, as provided in the Division bylaws, except voting for or holding an elective position of the Division, voting on articles of incorporation and bylaws, or serving as a member of the Division Executive Committee or equivalent policy-making body.

- 3.1 A bona fide chemistry student may become a Division Affiliate upon payment of one-half of the member dues as defined in bylaw VI, Section 1.0.

Section 4.0 Firms that wish to foster the Division's objectives as in bylaw II, Section 3, may become Patrons of the Division. They will not be members nor have any voice in

conducting the Division's business. However, each Patron may be represented by a member or a Division Affiliate.

Section 5.0 Members and affiliates shall enjoy the following privileges:

- 5.1 They shall receive copies of the Division newsletter.
- 5.2 They shall receive copies or abstracts of papers presented at symposia and/or meetings sponsored or co-sponsored by the Division.
- 5.3 They may participate in all meetings except closed session of the Executive Committee.
- 5.4 They will share in the prestige which accrues to membership in the Division.
- 5.5 They will share in benefits secured by activities of the Division.

Section 6.0 Resignations. A member or affiliate may resign from the Division by submitting a resignation, in writing, to the Secretary of the Division during a year in which dues are paid.

Section 7.0 Non-Payment of Dues

- 7.1 A member of the Division who is in arrears for one (1) year shall be stricken from the rolls. He/she may be reinstated to membership by requesting it in writing to the Secretary of the Division and paying the dues for the current year.
- 7.2 Affiliates of the Division shall retain affiliate status only so long as payment of Division dues is made.
- 7.3 Eligibility for the student discount on Division Affiliate status shall lapse upon cessation of bona fide student activity.

BYLAW IV—OFFICERS

Section 1.0 The officers of the Division shall be MEMBERS of the SOCIETY and shall consist of a Chair, Chair-Elect, Secretary, and Treasurer.

Section 2.0

- 2.1 The duties of the officers shall be those normally associated with their respective offices, including those specified below.
- 2.2 The duties of the Chair shall be to preside at meetings of the Executive Committee, to put into effect the decisions and recommendations of that

- Committee, to preside at business meetings of the Division, and to appoint the standing committees. In the absence of the Chair, the duties of the office shall devolve upon the Chair-Elect; if the Chair-Elect is unable to serve, the Chair may appoint a Chair *Pro-tem*.
- 2.3 The Chair-Elect shall understudy and aid the Chair throughout the term, and accede to the Chairship in the next two elective year.
- 2.4 The duties of the Secretary shall be to keep a record of the proceedings of the Division and of the Executive Committee, to maintain a list of members and affiliates, to send to members and affiliates such notices as the business of the Division may require, and to carry out the duties outlined in the Constitution and Bylaws of the SOCIETY. The Secretary shall submit a report to the Division at its annual meeting and shall send to each member, at least two weeks before the regular meetings of the SOCIETY, abstracts of papers to be presented before the Division.
- 2.5 The duties of the Treasurer shall be to have charge of the funds of the Division, to collect dues and other revenues, to make all disbursements subject to the approval of the Executive Committee and to submit a report to the Division of its annual meeting.

Section 3.0 Executive Committee

- 3.1 The Executive Committee shall consist of the officers of the Division, the Councilor(s) and Alternate Councilor(s), the Immediate Past Chair, and the Program Chair. Additional members may be appointed by a majority vote of the Executive Committee. A quorum for in-person meetings shall be one-half of the Committee members.
- 3.2 The Executive Committee shall manage and administer the affairs of the Division, including the following activities:
- 3.2.1 Setting dues annually for the following year for the various categories of members, affiliates and patrons.
- 3.2.2 Acting on firms' applications to become Patrons of the Division.
- 3.2.3 Providing for an annual financial audit.
- 3.2.4 Providing publicity.
- 3.2.5 Long-range planning.
- 3.2.6 Monitoring the functioning of the standing committees.

3.2.7 Setting guidelines and topics for Divisional programming at National Meetings and other meetings.

3.3 The Executive Committee shall meet at least twice a year, including once a year at a National Meeting of the SOCIETY. It may also hold meetings-by-mail at the discretion of the Chair, or at the request of any two members of the Committee; in such meetings all motions shall require the affirmative vote of a majority of the Committee, to pass.

Section 4.0 Election of Officers

4.1 Each year, the Committee on Nominations and Elections shall transmit to the Secretary a slate consisting of two candidates for each of the elective offices of the Division, except that when two qualified and willing candidates cannot be located, one may suffice. Two candidates for each office are required for the offices of Councilor and Alternate Councilor.

4.2 Members of the Division may nominate candidates for elective offices of the Division by providing to the Secretary of the Division three copies of a nominating petition containing the signatures of at least 20 members of the Division with no more than 10 from a single geographic region of the SOCIETY. The names of members so nominated shall appear, along with the names of the candidates provided by the Committee on Nominations, on a printed ballot which shall be sent to the MEMBERS Division for election.

4.3 The Secretary shall mail to each member of the Division a ballot containing the names of all candidates for each elective office. The ballot shall be returned within five weeks, the specific date to be designated annually by the Committee on Nominations and Elections in order to fulfill on-time election reporting requirements to the ACS headquarters in Washington, D. C.

4.4 The candidate for an elective position receiving the highest number of votes shall be declared elected. In case of a tie vote, the winner shall be chosen by lot cast in the presence of the full Committee on Nominations and Elections. Election results shall be reported promptly to the members.

4.5 No MEMBER may hold more than one elective office in the Division simultaneously.

Section 5.0 Terms of Office

5.1 The Chair and Chair-Elect of the Division shall serve for two years or until their duly elected successors take office.

5.2 In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the duties of the Chair for the unexpired term. Vacancies in the office of Councilor

shall be filled by Alternate Councilor(s) in order of seniority in the office. 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 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 Division shall elect both a Chair and a Chair-Elect at its annual election.

- 5.3 The terms of the offices of the Secretary and of the Treasurer shall be two years. The Secretary and the Treasurer shall be elected in alternate years.
- 5.4 The terms of the offices of Councilor and Alternate Councilor shall be three years. The Councilor(s) and Alternate Councilors(s) shall be elected so as to stagger their terms of office. For example, in the first year in which the Division is admitted to regular standing, the Alternate Councilor shall be elected for two years, only.
- 5.5 Officers' terms shall begin the next January 1, following election.

BYLAW V—STANDING COMMITTEES

Section 1.0 The Division shall have the Standing Committees listed below. The Division Chair shall appoint the membership of each committee and the chair of each. The duties of each committee are as implied by their titles.

- 1.1 Auditing
- 1.2 Membership
- 1.3 Nominations and Elections
- 1.4 Publications
- 1.5 Planning
- 1.6 Program
- 1.7 Public Relations
- 1.8 Social Events

BYLAW VI—DUES

Section 1.0 Members of the Division shall pay annual dues, the amount of which is to be decided annually by the Executive Committee. Dues are payable in advance.

Section 2.0 National Affiliates of the Division shall pay annual dues in an amount to be decided annually by the Executive Committee. Failure to pay such dues in advance shall automatically terminate affiliation with the Division.

Section 3.0 The annual dues of Division 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 4.0 The annual dues for student affiliates shall be as set forth in Bylaw III, Section 3.1. Failure to pay such dues in advance shall automatically terminate the affiliation.

BYLAW VII—MEETINGS

Section 1.0 The Division shall meet at least once a year at a National Meeting of the SOCIETY; however, this requirement may be modified by the Executive Committee from time to time in accordance with the Bylaws of the SOCIETY.

Section 2.0 The annual meeting of the Division shall be held at the approximate time of the Annual Meeting of the SOCIETY. Division business requiring vote of the membership shall be conducted only at this meeting, except as provided elsewhere in these bylaws.

Section 3.0 Special meetings of the Division may be called by the Executive Committee, if notice is given to the membership at least two months in advance. If business is to be conducted at such a meeting, the notice of the meeting shall state the exact nature of the business to be considered, and no other business shall be conducted.

Section 4.0 Four members of the Executive Committee and four other members of the Division shall constitute a quorum for the conduct of business at any meeting of the Division.

Section 5.0 The fee for registration at a special meeting shall be decided by the Executive Committee, in accordance with the Bylaws of the SOCIETY.

BYLAW VIII—PRESENTATION OF PAPERS

Section 1.0 The Program Committee shall be responsible for the selection of suitable papers to be presented at meetings of the Division. However, the Chair of the Division is empowered to reject papers considered unsuitable. The Chair may delegate this authority to the Chair-Elect or to a committee created for this purpose.

Section 2.0 The rules for papers presented before meetings of the SOCIETY as outlined in the Bylaws and Regulations of the SOCIETY shall govern this Division.

BYLAW IX—AMENDMENTS

Section 1.0 A proposed amendment to the bylaws and the reasons therefor shall be submitted as a petition to the Secretary of the Division, signed by not fewer than 15 members of the Division. The petition may include a recommended effective date.

Section 2.0 A proposed amendment to the bylaws shall be reviewed by the Executive Committee as to form and to assure that the proposed amendment conforms to the bylaws of the SOCIETY, and if found to qualify shall, within 60 days after receipt by the Secretary, be mailed in printed form to all members of the Division, to be voted upon.

Section 3.0 Any proposed amendment not released by the Executive Committee for vote by the membership within 90 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 of the members of the Division.

Section 4.0 Two-thirds of the valid ballots returned must be affirmative for adoption in order for the amendment to be adopted.

Section 5.0 An amendment to these bylaws after adoption shall become effective on 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 X—DISSOLUTION

Section 1.0 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 to the SOCIETY, or to the 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.