

***BYLAWS OF THE
DIVISION OF ENERGY AND FUELS
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the Division of Energy and Fuels (hereinafter referred to as the “Division”) of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as the “SOCIETY”). The Division is incorporated under the laws of the District of Columbia.

**BYLAW II
Objects**

Section 1. The objects of the Division shall be those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY. The Division will serve the needs of scientists and engineers working to advance knowledge in the areas of chemical composition, properties, and relativities of energy sources and processes, including solid, liquid, and gaseous carbon-based fossil and biofuels.

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

**BYLAW III
Members and Affiliates**

Section 1. Membership in the Division is open to all members of the SOCIETY, including MEMBERS and STUDENT MEMBERS. Any member of the SOCIETY may join the Division by enrolling with the Division and paying the established annual dues. A STUDENT MEMBER shall have all the privileges of membership in the Division, as provided in these bylaws, except those of holding an elective position in the Division.

***Effective December 31, 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 2. A Society Affiliate may become a Society Affiliate of the Division, provided that Divisional dues established for Society Affiliates are paid. A Society 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's Executive Committee or equivalent policy-making body.

Section 3. 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 dues established for Division Affiliates are paid. Application for Division Affiliate status must be made with the recommendation of at least one MEMBER of the Division acting as a sponsor. A Division Affiliate shall have all the privileges of membership in the Division, as provided in the Division bylaws, except that of holding an elective position in the Division, voting on Articles of Incorporation and bylaws, or serving as a member of the Division's Executive Committee or equivalent policy-making body, or voting for Councilor(s) or Alternate Councilor(s) of the Division.

Section 4. A member may resign from membership in the Division by submitting in writing a resignation to the Secretary of the Division during a year in which dues are paid.

Section 5.

- a. A member of the Division who is in arrears in payment of dues for one year shall be removed from the rolls.
- b. Division Affiliates and Society Affiliates of the Division shall retain affiliate status only so long as payment is made of Division dues.

Section 6. Affiliates of the Division may not represent themselves as members of the Division or members of the SOCIETY.

Section 7. Emeritus status may be granted to members of the Division who meet both of the following qualifications: emeritus members of the Division (a) must have been granted emeritus status in the SOCIETY; and (b) must have maintained continuous membership in the Division for at least the last five years. Emeritus members of the Division shall be exempt from payment of annual Division dues. They shall have all the privileges of membership of the Division consistent with their emeritus status in the SOCIETY, including voting, participating in Division activities, and receiving the Division newsletter and preprints free of charge.

BYLAW IV

Officers, Executive Committee, and Councilors

Section 1. The officers of the Division shall be MEMBERS of the SOCIETY and shall consist of a Chair, Chair-Elect, Secretary, Treasurer, the Immediate Past Chair, and three Directors-at-Large. The Executive Committee shall consist of the officers, the Councilors and Alternate Councilors, and the following officials appointed by the Chair with the advice and approval of the other elected officers: Program Secretary, Program Chair, Director of Publications, Website Manager, Newsletter Editor, Preprint Editor, Membership Chair, Long-Range Planning Chair,

and Director of Advertising. The Division shall elect Councilors and Alternate Councilors according to provisions of the SOCIETY documents.

Section 2. The duties of the Chair shall be to preside at meetings of the Executive Committee, to carry into effect the decisions and recommendations of that Committee, to preside at business meetings of the Division, and to appoint committees as provided elsewhere in these bylaws.

Section 3. The duties of the Chair-Elect shall be to assume the added duties of the Chair of the Division in the event of the latter's absence or inability to serve in that capacity.

Section 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 the members and affiliates of the Division, to conduct the business correspondence of the Division as assigned, to distribute to members and affiliates a record of the proceedings of each meeting of the Division, and to carry out the duties outlined in the Constitution and Bylaws of the SOCIETY.

- a. The Secretary shall promptly convey all reports required by the SOCIETY to the Executive Director of the SOCIETY.
- b. The Secretary shall preserve in perpetuity approved copies of the Articles of Incorporation and bylaws of the Division and such other documents as may, from time to time, be required by the Executive Committee.
- c. The Secretary shall oversee the filling of vacancies in Councilor and Alternate Councilor positions, according to the manner described elsewhere in these bylaws.

Section 5. The duties of the Treasurer shall be to serve as custodian of the funds of the Division, to collect dues and other revenues, to pay the expenses of the Division that have been authorized by the Executive Committee, to submit a report to the Division at the completion of each fiscal year, to submit to the Executive Committee at the end of each fiscal year a proposed budget for the ensuing year, to submit required reports to the Internal Revenue Service, and to handle preprint sales at national meetings. The Trust Fund, administration of which is governed by a separate document and procedure, is not the Treasurer's responsibility.

Section 6. The Immediate Past Chair shall serve as the chair of the Nominating Committee, as described elsewhere in these bylaws, and as a member of the Executive Committee.

Section 7. The Directors-at-Large shall be elected from among the Past Chairs of the Division. Their major function is to provide guidance and continuity to the operation of the Division.

Section 8. The Director of Publications shall, with the advice and consent of the Executive Committee, have primary responsibility for the handling of all matters pertaining to the publications of the Division other than a newsletter.

Section 9. The Program Secretary shall assist the Program Chair by handling the correspondence dealing with the technical program as requested by the Program Chair; this work will include submitting the symposia programs to the SOCIETY and supplying potential authors with instruction on the preparation of preprints for publication.

Section 10. The Program Chair shall, with the advice and approval of the Executive Committee, have primary responsibility for the planning, organizing, and handling of all matters pertinent to the technical programs of the Division held at the regular national meetings of the SOCIETY or at any special meetings that may be scheduled by the Division.

Section 11. The duties of other officials are as defined by the chair, as necessary.

Section 12. The Executive Committee shall consist of the elected officers and appointed officials of the Division as designated elsewhere in these bylaws and each shall have an equal vote.

- a. A quorum shall consist of a majority of the members of the Executive Committee.
- b. The duties of the Executive Committee shall be to conduct all affairs of the Division not otherwise provided for in these bylaws. The Executive Committee shall hold a meeting at each meeting of the Division and prior to any business session of the Division, for the purpose of considering the business of the Division and receiving reports of the appointed committees. The chairs of the appointed committees shall be invited to attend the meeting of the Executive Committee at the discretion of the chair.
- c. The Executive Committee shall prepare a budget covering the anticipated income and expenditures of the Division for the ensuing year and shall approve any additional expenditure(s) not therein provided. The Executive Committee shall also fill any vacancies among the officers of the Division, other than the Chair, the Immediate Past Chair, Councilor(s), and Alternate Councilor(s), as provided elsewhere in these bylaws.

Section 13. Election of Officers, Councilors and Alternate Councilors

- a. The Chair-Elect, the Secretary or the Treasurer as terms are due, the Directors-at-Large, and the appropriate number of Councilors and Alternate Councilors shall be elected by ballot prior to the fall national meeting of the SOCIETY each year. The Treasurer shall be elected in odd-numbered years and the Secretary in even-numbered years.

All elective positions shall be held by MEMBERS of the Division and MEMBERS of the SOCIETY. The newly-elected officers shall automatically take office on January 1 of that year. The Chair-Elect will assume the position of Chair at the same time. Councilors and Alternate Councilors, who are elected for three-year terms as provided in the Constitution of the SOCIETY, shall take office on January 1. The terms of Councilors and Alternate Councilors and the manner of their election to rotating terms shall be as provided in the Constitution and Bylaws of the SOCIETY. Directors-at-Large shall be elected as stated elsewhere in these bylaws.

- b. Nominations shall be made as follows:
 - (1) The Nominating Committee shall consist of the Immediate Past Chair and three MEMBERS appointed by the Immediate Past Chair, who will serve as chair of the committee. The committee shall submit to the Executive Committee a list of nominees for the positions to be filled. The Executive Committee shall vote on the approval of these nominees at the spring national meeting of the SOCIETY. The approved list of nominations shall then be presented at the business meeting during

the same spring meeting of the SOCIETY; the members present shall be given the chance to make other nominations if they desire and shall then be asked to approve the list. All nominees shall be required to indicate their willingness to serve if elected. Nominations for any elective office may also be submitted to the Secretary at least six weeks before the fall annual meeting of the SOCIETY.

- (2) The Nominating Committee shall augment the nomination letters as it sees fit, to provide at least two nominees for Chair-Elect, one or more nominees for Secretary or Treasurer, and one or more nominees for each Councilor, Alternate Councilor, and Director-at-Large to be elected. The Committee shall advise the Secretary of the names of all nominees not later than June 1.
- (3) Incumbency in one office shall not render anyone ineligible to this or another office for the succeeding year.

c. Election shall be by ballot as follows:

- (1) Election ballots listing, in alphabetical order, all candidates for each office shall be distributed to all members of the Division. A brief sketch of each candidate shall accompany the ballot. Voters shall be instructed to indicate a choice for Chair-Elect, Secretary or Treasurer as terms are due, Directors-at-Large, Councilors, and Alternate Councilors, and to indicate second and third choices for any office for which three or more candidates have been nominated. Ballots must be received by the stated deadline to be counted.
- (2) Results of the election shall be determined as follows:

At least two Tellers will be appointed by the Chair of the Division from MEMBERS who are not candidates for election or current officers. The Tellers shall determine the number of ballots indicating first choice for each of the candidates for Chair-Elect, Secretary or Treasurer, Director-at-Large, Councilor, and Alternate Councilor. If three or more MEMBERS have been nominated for an office and no individual candidate has a majority of all ballots cast, the candidate receiving the least votes shall be dropped and ballots favoring the dropped candidate shall be distributed among the other candidates according to the voters' second choices. If both the first and second choice candidates on a ballot have been dropped, the ballot shall be counted for the third choice candidate. Should more than two candidates remain and no majority be indicated, this procedure shall be repeated successively until a single candidate receives a majority of all ballots cast. The candidates receiving a majority of votes shall be deemed elected, and the Tellers shall so report to the Chair.

Section 14. Terms of Office

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

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

- b. The terms of office of the Secretary and Treasurer shall be two years, or until a successor is provided.
- c. The term of office for each of the three Directors-at-Large is for three years, with their elections staggered so as to elect one Director-at-Large each year.
- d. The terms of office of Councilors and Alternate Councilors shall be three years, as specified by the Constitution and Bylaws of the SOCIETY.
- e. The terms of all officers shall begin January 1.

BYLAW V **Recall of Elected Officials**

Any Division elected official (officers and elected Executive Committee members) may be recalled for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by Divisions.

Section 1. The elected officials of the Division (officers or elected Executive Committee members) are subject to recall for 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 voting MEMBERS of the Division. 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 alternative 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 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 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 in question 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 distributed to the voting membership before the vote is taken.
 - (3) The official may request a hearing and 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 the 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 replacement of the official.

BYLAW VI Committees

Section 1. The Chair, with the advice and approval of the Executive Committee, shall appoint such special committees as may be necessary to make studies and recommendations on special matters relating to the welfare and progress of the Division. Examples include Newsletter Editor and Directors of Preprint Subscriptions, Public Policy, Membership, and Long-Range Planning.

Section 2. The Chair, with the advice and approval of the Executive Committee, shall, in a manner to produce rotation, appoint a standing Program Committee of three MEMBERS of the Division, each MEMBER to serve for a term of three years. The senior member of the Program Committee shall serve as the Program Chair for the current calendar year and as an ex officio member of the Program Committee the following year.

BYLAW VII
Dues

Section 1. MEMBERS and STUDENT MEMBERS of the Division shall pay annual dues in advance in an amount determined by the Executive Committee.

Section 2. Society Affiliates of the Division shall pay annual dues in an amount determined by the Executive Committee. Failure to pay such dues in advance shall terminate the affiliation with the Division.

Section 3. The annual dues of Division Affiliates shall be determined by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues in advance shall terminate the affiliation.

BYLAW VIII
Meetings

Section 1. The Division shall hold at least one session annually; however, this requirement may be modified by the Executive Committee in accordance with the Bylaws of the SOCIETY.

Section 2. The annual business meetings of the Division shall be held at the time of a national meeting of the SOCIETY. Division business requiring a vote of the membership shall be conducted only at these meetings, except as provided elsewhere in these bylaws.

Section 3. Special meetings of the Division may be called by the Executive Committee if notice is distributed to the MEMBERS or by publication in the official organ of the SOCIETY 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 transacted at such special meetings.

Section 4. At any business session of the Division, 10 MEMBERS present shall constitute a quorum.

Section 5. The order of business shall be as follows:

- a. Approval of Minutes
- b. Report of Executive Committee
- c. Report of Secretary
- d. Report of Treasurer
- e. Reports of Committees
- f. Miscellaneous Business

The most recent edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for procedural matters not covered in these bylaws or in the SOCIETY's documents.

Section 6. The fee for registration at any special meeting shall be decided by the Executive Committee in accordance with the Bylaws of the SOCIETY.

BYLAW IX
Publications

Section 1. The Executive Committee may, with the approval of the Board of Directors of the SOCIETY, provide for the issuance of other publications. Such approval is not required for publication of a newsletter.

Section 2. Papers presented at the regular meetings of the Division shall, at the discretion of the Executive Committee, be preprinted by the Division, and as prescribed in the SOCIETY's Bylaws, shall be copyrighted, when applicable, in the name of the SOCIETY.

Section 3. The Executive Committee shall be responsible for the selection of the papers to be presented at meetings of the Division. It may delegate this authority to a Division Committee created for that purpose or to a Division MEMBER.

Section 4. 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 X
Amendments

Section 1. A proposed amendment of these bylaws must first be submitted in writing 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 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(s) is given, the amendments(s) will be adopted upon receiving an affirmative vote of two-thirds (2/3) of the members present, provided there is a quorum. Alternatively, or failing the presence of a quorum, the vote may be taken by distributing ballots to Division members. Two-thirds (2/3) of the valid ballots received must be in the affirmative for adoption.

Any proposed amendment(s) not approved by the Executive Committee within sixty 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 15 percent 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
Dissolution

Upon the 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.