



NEW YORK STATE COUNCIL BYLAWS

Article 1: General

1.0 *Name.* The name of this organization is the New York State Council (hereinafter called the “Council”) of the American Society of Civil Engineers (hereinafter called the “Society”).

1.1 *Use of Name and Marks.* The use and publication of the Society and Council name and marks shall be in accordance with the Society’s governing documents and official policies.

1.2 *Objectives.* The objectives of the Council shall be carried out through the Officers and Committees.

1.3 *Experience.* Delegates shall be knowledgeable and active in Section affairs and must be a Society member in good standing.

Article 2: Membership

2.0 *Membership.* Each Section shall choose its delegates in any manner they choose.

Article 3: Separations from Membership and Disciplinary Proceedings

Not used.

Article 4: Fees and Dues

4.0 *Dues.* The annual dues assessed by the Council against each member Section shall be calculated as follows:

- 50% of the assessment shall be proportional to the number of assigned members from each Section as of September 30 of the prior year.
- 50% of the assessment shall be equally divided between the Sections.

The amount of the assessment shall be approved by a two-thirds (2/3) vote of the Council membership present at the Fall meeting.

4.1 *Financial.* The Council shall establish and approve a six (6) month budget based on the Treasurer's financial report.

4.2 *Approval of Expenditures.* The Council shall authorize the Treasurer to manage the funds of the organization within the approved budget. The Council Chair shall approve, in writing, any expenditure in excess of five hundred dollars (\$500.00).

Article 5: Management

Not used.

Article 6: Officers

6.0 *Duties of the Officers.*

6.0.1 *Chair.* The Chair shall preside at all meetings of the Council. The Chair shall appoint the members of special committees and inform the Secretary of these appointments. The Chair shall be an ex-officio member of all committees. The Chair shall call all regular meetings of the Council. The Chair shall not act as a Section delegate.

6.0.1.1 *Qualifications.* The Chair must have attended at least two (2) Council meetings as a Council delegate and be a Society member in good standing in any grade of Society membership except Affiliate Member and Student Member.

6.0.1.2 *Term.* The Chair may serve up to two (2) consecutive two (2) year terms to commence on the January 1 after election to the position. After serving two (2) consecutive full terms, the Chair shall be ineligible to serve a third consecutive term.

6.0.1.3 *Vacancy.* Vacancies in the office of Chair shall be filled by the Vice-Chair who shall complete the unexpired term of the Chair.

6.0.2 *Vice-Chair.* The Vice-Chair shall act in place of the Chair when the Chair is not available. The Vice-Chair can be a Section delegate.

6.0.2.1 *Qualifications.* The Vice-Chair must have attended at least two (2) Council meetings as a Council delegate and be a Society member

in good standing in any grade of Society membership except Affiliate Member and Student Member.

6.0.2.2 *Term.* The Vice-Chair shall serve a one (1) year term to commence on the January 1 after election to the position. The Vice-Chair can serve a second consecutive one (1) year term. After serving two (2) partial or full consecutive terms, the Vice-Chair shall be ineligible to serve a third consecutive term.

6.0.2.3 *Vacancy.* Vacancies in the Office of Vice-Chair shall be filled for the remainder of the unexpired term by action of the Chair with approval by the remaining Council delegates.

6.0.3 *Secretary.* The Secretary shall attend and record the proceedings of all Council meetings and furnish a copy of the meeting minutes to all Council delegates and officers as soon as practicable following the meeting. The Secretary shall make an annual report and other reports as may be prescribed by the Council. The Secretary shall furnish a copy of all reports to the Council delegates, officers, special committees, and the Society. The Secretary can be a Section delegate.

6.0.3.1 *Term.* The Secretary shall be selected by the Council delegates for a term of one (1) year to commence on January 1. After serving one (1) full term, the Secretary shall be ineligible to serve a consecutive term.

6.0.3.2 *Vacancy.* Vacancies in the Office of Secretary shall be filled for the remainder of the unexpired term by action of the Chair with approval by the remaining Council delegates.

6.0.4 *Treasurer.* The Treasurer shall serve as financial officer of the Council. The Treasurer shall maintain records, prepare assessment notices, receive assessment payments and disburse monies to cover costs related to the approved expenditures of the Council. The Treasurer shall prepare a financial report for presentation to the Council at each regular meeting. The Treasurer can be a Section delegate.

6.0.4.1 *Qualifications.* The Treasurer must be a Society member in good standing in any grade of Society membership except Affiliate Member and Student Member.

6.0.4.2 *Term.* The Treasurer shall serve a one (1) year term to commence on the January 1 following appointment and may be renewable for one (1) year terms.

6.0.4.3 *Vacancy.* Vacancies in the office of Treasurer shall be filled for the remainder of the unexpired term by action of the Chair with approval by the remaining Council delegates.

Article 7: Elections

7.0 *Chair.* The Chair shall be elected at the Fall meeting in even numbered years by the Council delegates in attendance.

7.0.1 *Notification.* Council delegates shall be notified at the even numbered Spring meeting of the opening for the office of Chair.

7.0.2 *Nominations.* Any Section nominating a candidate shall notify the Council Chair by July 15 of an even numbered year.

7.0.3 *Election.* A majority vote of the delegates present in favor of a candidate is required.

7.1 *Vice-Chair.* The Vice-Chair shall be elected at the Fall meeting by the Council delegates in attendance.

7.1.1 *Notification.* Council delegates shall be notified at the Spring meeting of the opening for the office of Vice-Chair.

7.1.2 *Nominations.* Candidates shall be nominated by the Council delegates in attendance at the Fall meeting.

7.1.3 *Election.* A majority vote of the delegates present in favor of a candidate is required.

7.2 *Secretary.* The Secretary of the Council for the succeeding year will be nominated at the Fall meeting by a Section based on a rotation plan approved by the Council and identified in the Council's Operations Manual. Changes to the rotation plan shall be approved by a majority vote of the delegates present.

7.3 *Treasurer.* The Treasurer shall be appointed yearly by the Chair or incoming Chair with approval by the Council delegates in attendance at the Fall meeting.

Article 8: Meetings

8.0 *Meetings*

8.0.1 *Frequency of Meetings.* The Council shall meet as provided for in the Constitution.

8.1 *Parliamentary Authority.* *Robert's Rules of Order, Newly Revised* shall govern the conduct of all meetings.

8.1.1 *Voting.*

8.1.1.1 *Section Voting.*

Each Section has 1 vote per delegate present.

No proxies are allowed.

8.1.1.2 *Chair Voting.*

The Council Chair shall vote only in the event of a tie.

8.2 *Alternative Meetings.* Any member of the NYS Council or any NYS Council committee may participate in a meeting of the NYS Council or any NYS Council committee by means of a conference telephone call or similar communications system that allows all persons participating in the meeting to hear each other at the same time. Such participation shall be considered presence in person at the meeting.

8.3 *Action without a Meeting.* In accordance with New York Law any action required or permitted to be taken by the NYS Council or any NYS Council committee may be taken between scheduled meetings by email voting or other means as long as all members of the NYS Council or any NYS Council committee consent in writing to such action and the participants must have been present at the previous scheduled meeting and all the participants must have access to the alternative means.

Article 9: Subsidiary Organizations and Committees

9.0 *Standing Committees.* The Council shall have Legislative, Professional Registration, Awards, New York State Infrastructure Report Card, and Audit Committees. The constituency and operation of these committees are described in the Council Operations Manual.

9.1 *Task Committees.* The Council may appoint task committees as deemed necessary. The terms of Task Committee members shall end at the end of the term of the Chair.

Article 10: Administrative Provisions

10.0 *Appointments.*

10.0.1 *Historian.* The Council may appoint an Historian to maintain historical records of the Council. The Historian may be a delegate of the Council or an administrative representative to the Council who is not a delegate of the Council. The Historian shall serve at the pleasure of the Chair with concurrence of the Council.

10.0.2 *Assistant Treasurer.* The Chair may recommend for approval by the Council an individual to serve as Assistant Treasurer. The Assistant Treasurer shall serve at the pleasure of the Chair with concurrence of the Council.

Article 11: Amendments

11.0. *Proposal.* An amendment to these Bylaws may be proposed by any member of the Council at a meeting of the Council. The proposed amendment(s) shall be discussed at the meeting at which it is proposed and all arguments thereon recorded by the Secretary. At least thirty (30) days prior to the next Council meeting, the Secretary shall forward a copy of the proposed amendment(s), together with the arguments thereon, to each Council member for approval at the upcoming meeting. The amendment shall be approved by a two-thirds (2/3) vote of the full Council delegates.

11.0.1 *Region Approval.* The proposed amendment(s) shall be reviewed and approved by the appropriate Region Board of Governors before becoming effective.

*NYS Council Approval September 11, 2015
Region 1 BOG Approval September 11, 2015
NYS Council Approval April 8, 2016
Region 1 BOG Approval April 10, 2016
NYS Council Approval March 18, 2021
Region 1 BOG Approval January 28, 2022*