Administrative Codes and Registers
BYLAWS

(Effective as amended July 18, 2007)

Article I. Name.
The name of this organization shall be Administrative Codes and Registers (ACR), a section of the National Association of Secretaries of State (NASS).


Article II. Objectives.
The objectives of ACR are:

1. to gather, exchange and disseminate facts, information and ideas relating to the publication and distribution of administrative codes and registers and the review of rules;

2. to enhance the quality of administrative codes and registers through better style, format and design;

3. to encourage the development of administrative codes and registers in jurisdictions where none exist;

4. to foster the development of better rulewriting skills and rule review techniques, and
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37 more effective management of the rule promulgation process;
38 5. to increase knowledge of administrative law among ACR members and within the
general public;
39 6. to promote membership in ACR among all persons, both in government and in the
private sector, who have a professional interest in administrative law; and
40 7. to make recommendations to NASS which ACR believes will help achieve the
purposes and objectives of this organization.
41 As amended July 1, 2000, and July 16, 2001.
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43 Article III. Membership.
44 Membership in ACR is open to all persons in government and the private sector who have
a professional interest in administrative law. There shall be three classes of membership.
45 1. Any governmental employee who attends the annual conference or the winter
meeting and who pays the ACR registration fee shall be a member of ACR and entitled to
vote on all matters coming before ACR.
46 2. Any nongovernmental person who attends the annual conference or the winter
meeting and who pays the appropriate registration fee and attends the annual conference
or the winter meeting shall be a member of ACR and entitled to be heard on all issues but
not entitled to vote. Nongovernmental members may be appointed to serve as nonvoting
members of standing committees and of special ad hoc committees at the discretion of the
President.
47 3. The term of membership shall commence on the first day of the annual conference
or the winter meeting for a period of approximately one year and conclude on the first day
of the next annual conference or winter meeting.
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4. A governmental employee not attending the annual conference or the winter meeting
who makes a request in writing to the President shall also be a member of ACR. These
members may be appointed to serve as voting members of standing committees and of
special ad hoc committees.

As amended July 1, 2000, and July 16, 2001.

Article IV. Officers.

A. The officers of ACR shall be the President, the Vice President, and the
Secretary-Treasurer. Each officer shall serve for a term of two years or until a successor is
selected. Elections shall be held biennially beginning in 1990. Only governmental members of
ACR may be nominated for office. A member may serve not more than two consecutive terms
in the same office.

B. The President may be selected from a state in which the administrative codes and
registers function is not under the jurisdiction of a Secretary of State. Whenever the President
is selected from a non-Secretary of State jurisdiction, the Vice President or Secretary-Treasurer
should be chosen from a state or jurisdiction in which the administrative code and register
function is under the jurisdiction of a Secretary of State.

1. ACR shall elect a President, a Vice President, and a Secretary-Treasurer from the
nominees presented to the membership by the Nominations Committee and other nominees
placed into nomination from the floor. The outgoing President shall promptly report the
names of those elected to the NASS Executive Committee.

2. If the elected President is unable to serve or complete the term of office, the elected
Vice President shall serve the remainder of the President's term. If the Vice President is
unable to serve or complete the term of office, the Secretary-Treasurer shall serve the
remainder of the Vice President's term of office. Should any vacancy remain in one or more
of the elected positions, the President (or the individual who becomes President upon the
vacation of the office) shall, in consultation with the other officer and the Executive
Committee, choose a successor for any vacant position. Any replacement shall remain in
office until the next biennial election of officers is held at the annual conference.


Article V. Meetings.

A. Regular meetings of ACR shall be held once a year in conjunction with the annual NASS
conference. Meetings may also be held in conjunction with the annual NASS winter meeting,
or as otherwise determined by majority decision of the ACR officers and Executive Committee.

B. ACR meetings shall be chaired by the President or, in the absence of the President, the
Vice President or, in the absence of both the President and Vice President, the
Secretary-Treasurer. In the absence of all three officers, meetings shall be chaired by someone
designated in writing by the President.

C. Meetings of ACR and its various committees shall be conducted in accordance with
Robert's Rules of Order.

D. There shall be at least two business meetings scheduled at the annual conference.
Changes to these Bylaws shall be presented to the membership at least 30 days before the
conference begins. All other items may be presented less than 30 days before the start of the
conference or at the first business meeting of ACR at the conference at the President's
discretion. A vote may then be taken at the second business meeting provided that the second
business meeting occurs at least 24 hours after the meeting at which the item was presented
to the membership.

As amended July 1, 2000, and July 16, 2001.
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Article VI. Voting.

A. Each member with voting privileges may vote on any matter presented to ACR for decision by voting.

B. Only a member actually present and attending an ACR business meeting is entitled to vote. All matters shall be decided by a simple majority of the votes cast, except that all changes to these bylaws shall require a three-fifths majority of the votes cast.

C. At the first business meeting of the annual conference, the presiding officer shall call the roll of voting members for the purpose of establishing a quorum. For conduct of business, a quorum shall consist of at least fifty percent of the attending voting members plus one as established by the roll call.

As amended July 1, 2000, and July 16, 2001.

Article VII. Duties of the President.

A. The President and, in the absence of the President, the Vice President and, in the absence of the President and Vice President, the Secretary-Treasurer shall have all the duties, powers and responsibilities normally ascribed to the highest ranking officer within an organization, as enumerated in Robert's Rules of Order.

B. The powers, duties and responsibilities shall include, but not be limited to, the following:

1. maintain close contact with the NASS Executive Committee member-at-large, designated as the ACR liaison;

2. preside at all ACR business meetings;

3. plan, direct and coordinate the annual ACR conference;

4. report to the NASS Executive Committee, both at the annual NASS conference and at the NASS winter meeting;
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5. prepare and submit for publication in the NASS newsletter any newsworthy items regarding ACR activities;

6. direct the updating, publication and sale of the State and Federal Survey;

7. account for all monies received and expended by or on behalf of ACR;

8. appoint all ACR committee chairpersons.

As amended July 1, 2000, July 16, 2001 and July 29, 2002.

Article VIII. Duties of the Vice President and the Secretary-Treasurer.

A. The duties and responsibilities of the Vice President shall include the following:

1. oversee and direct all phases of gathering and assembling data, publishing, and distributing the State and Federal Survey; and

2. perform other duties and responsibilities assigned by the President.

B. The duties and responsibilities of the Secretary-Treasurer shall include the following:

1. in the capacity of Secretary:

   a. serve as recording secretary during each ACR business meeting, provide a copy of the minutes to the President, maintain an archival account of each business meeting and promptly surrender all records in good order to the successor Secretary-Treasurer;

   and

   b. oversee the creation of a record of each ACR conference and meeting;

2. in the capacity of Treasurer:

   a. reconcile financial statements, and report the outcome of reconciliations to the President and Vice President, and

   b. receive the monthly financial reports prepared by NASS Executive Director and make a report at both the annual conference and winter meeting on the financial condition of ACR;
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c. oversee the issuance of checks in payment of ACR expenditures from the ACR account; and

3. perform other duties and responsibilities as assigned by the President.


Article IX. Emeritus Member.

A. A person who has served as ACR Executive Secretary or President shall enjoy emeritus status and be entitled to sit as an ex officio member on any committee created by these bylaws or by the President.

B. The ACR President may call upon an emeritus member to serve as an advisor.

C. An emeritus member no longer attending the annual conference may continue to receive, upon request, the NASS newsletter, any other news publication issued by ACR and the State and Federal Survey.

As amended July 1, 2000, and July 16, 2001.

Article X. Executive Committee.

A. ACR shall have an Executive Committee comprised of the elected officials and one member with voting privileges, appointed by the President, from each of ACR's regions as determined by the President. Each Executive Committee member shall serve for a term of one year or until a successor has been appointed by the President.

B. At the direction of the President, regional Executive Committee members shall have responsibility for distributing materials to ACR members in their regions and shall provide assistance whenever possible to facilitate gathering information for inclusion in the State and Federal Survey.
C. At the request of the President, the Executive Committee shall meet with the President at the annual conference or at other times designated by the President for the purpose of discussing the organization and work of ACR and to provide such other counsel and assistance as the President may request. The President may conduct these meetings by conference call or other means available.

As amended July 1, 2000, and July 16, 2001.

Article XI. Standing Committees and Committee Duties.

A. Standing Committee members and Committee chairpersons shall be appointed by the President; Committee chairpersons shall be appointed from among the membership of the Committee, unless other provision is made in these bylaws for selecting a chairperson.

B. Standing Committees shall include, but not be limited to, the following:

1. Nominations Committee.

   a. The Nominations Committee may consist of a member from each region.

   b. Before the annual conference, the Nominations Committee shall select nominees for the position of President, Vice President, and Secretary-Treasurer and shall obtain a letter of consent from the supervisor of each nominee.

   c. At the annual conference, the Nominations Committee shall present to ACR its nominees for the posts of President, Vice President, and Secretary-Treasurer.

   d. The Nominations Committee shall present to the membership only the names of persons who have submitted, in writing to the Chairperson of the Nominations Committee, a letter of consent from their supervisor.

   i. The letter shall make clear the professional relationship between the nominee and the person signing the letter and shall indicate the supervisor's willingness to allow the nominee to serve, should the nominee be elected by the membership.
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208 ii. If that person is an employee of a Secretary of State, or equivalent officer, the letter shall be signed by the Secretary of State or equivalent officer.

210 iii. If that person is not an employee of a Secretary of State, the letter shall be signed by a superior or other person whose consent is sufficient to permit the nominee to serve.

213 e. Nominations may also be made from the floor at the time the Nominations Committee presents its recommendations to the membership. Any nomination from the floor must be accompanied by the letter of consent.

216 i. If the letter of consent cannot be made available by the time ACR is ready to vote, the nominee may stand for election and be elected upon the nominee's representation that the letter will be forthcoming.

219 ii. If a letter of consent is not received by the President thirty days after the nominee's election, the election of that officer is voided and the nominee of the Nominations Committee shall become the selection of ACR.

2. Program Committee.

a. The Program Committee shall consist of three ACR members.

b. At the discretion of the President, the Program Committee chairperson may be the Vice President and Committee membership may include Executive Committee members.

c. The Program Committee shall be responsible for planning and coordinating all aspects of the program to be presented at the annual conference; this responsibility shall continue until the conference is concluded.

d. The annual conference program shall initially be presented by the Program Chairperson to the President at the winter meeting before the conference is to occur. All program changes and final approval of the program rest with the President.
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10. The Committee Chairperson shall work closely with the NASS conference coordinator in the host state, and with the NASS Executive Director to ensure the success of the conference.

   a. The Survey Committee shall consist of the Executive Committee members; the Vice President shall serve as Committee Chairperson.
   b. The Survey Committee shall be responsible for all phases of gathering, assembling, and publishing information from the states and other jurisdictions for inclusion in the State and Federal Survey.
   c. The Survey Committee shall be responsible for the style and format of the State and Federal Survey and shall submit the style and format in which it proposes to publish survey results to the President for final approval.
   d. The State and Federal Survey shall be produced biennially during even numbered years. Survey forms shall be distributed to the states and other jurisdictions no later than March 1 of the survey year. The State and Federal Survey shall be distributed at that summer's annual conference.
   e. Any state not responding to the written request for information may be polled by any generally accepted means, including electronic mail so that the State and Federal Survey may be as complete as possible.
   f. The Survey Committee is responsible for promoting sales of the State and Federal Survey.

4. Awards Committee.
   a. The Awards Committee shall consist of three ACR members appointed by the President.
   b. At the discretion of the President, the Awards Committee chairperson may be a
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current or past officer. Committee membership may include members of the Executive Committee.

c. The Awards Committee shall solicit and consider nominations annually for the Robert J. Colborn, Jr. Innovation Award, and for other awards or recognitions approved by the officers and Executive Committee, or the membership by majority vote at an annual conference business meeting.

i. The Awards Committee may present awards of appreciation to the President, Vice President and Secretary-Treasurer.

ii. The Awards Committee may present a resolution of appreciation to a member with 10 years or more service upon retirement from ACR.

iii. The Awards Committee may present an award of appreciation to the Program Committee Chairperson during the annual conference.

d. The Awards Committee shall present awards at the annual conference.

e. The Awards Committee shall establish nomination procedures, format, and consideration criteria for all awards.


Article XII. Finances.

A. Expenditures:

1. The President is authorized to expend such sums of money as are available and necessary to promote the objectives of ACR.

2. The President shall first obtain the approval of ACR membership for each expenditure of ACR funds in excess of $500. If ACR is not in conference, the President shall obtain the approval of a majority of the Executive Committee members, who may be polled by any generally accepted means, including electronic mail and their vote recorded.
3. The Secretary-Treasurer or the NASS Executive Director shall issue checks in payment of ACR expenditures from the ACR account.

4. The Secretary-Treasurer or the NASS Executive Director may issue checks only with prior written approval of the President and Vice President of ACR.

B. Extraordinary Expenditures:

1. Whenever necessary to ensure the attendance of the President, Vice President, Secretary-Treasurer, or Program Chairperson at the annual conference or the winter meeting, the President's, Vice President's, Secretary-Treasurer's or Program Chairperson's registration fee shall be paid for from ACR funds.

2. ACR, at its annual conference or winter meeting, may approve the reimbursement of ACR registration fees to certain ACR members upon the recommendation of the President and for good cause shown.

C. ACR Account:

1. All receipts and expenditures shall be credited and debited through the ACR account administered by the NASS.

2. Thirty days before both the winter meeting and the annual conference, the Secretary-Treasurer shall obtain from the NASS Executive Director a statement accounting for all monies received and spent.


Article XIII. Annual Budgets.

A. ACR shall prepare and adopt its annual conference budget by the following procedure:

1. The ACR program committee shall prepare the annual conference budget in consultation with the ACR officers;

2. The annual conference budget must include, but is not limited to, all speaker
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expenses incurred at ACR sessions of the annual conference;

3. The ACR program committee chairperson shall present the budget to the NASS Executive Committee at the winter meeting.

B. The officers, in consultation with the Executive Committee, shall prepare an annual operating budget. The operating budget must include, but is not limited to, the following:

1. anticipated expenses relative to the State and Federal Survey;

2. awards and recognitions; and

3. extraordinary expenses of ACR regional conferences and other extraordinary expenses specifically approved under Article XII of these bylaws.

As amended July 1, 2000, July 16, 2001 and July 29, 2002.

Article XIV. Conference Funding.

A. The proposed annual ACR conference budget, as submitted to and approved by NASS, will be included in the annual NASS conference budget.

B. The President and, whenever practicable, Vice President, and Secretary-Treasurer shall confer at the NASS winter meeting with the NASS Executive Director, the NASS Executive Committee member-at-large ACR liaison, and the Secretary of State hosting the annual conference to ensure that the host Secretary is aware of the funds needed for ACR’s portion of the conference.

As amended July 1, 2000, July 16, 2001 and July 29, 2002.