

## Article III. Membership.

ACR membership is open to anyone who has a professional interest in administrative law. ~~There are two classes of membership.~~

### A. ~~Governmental Employee Membership Types.~~

~~1. Membership Requirements: Any governmental employee who attends the annual conference or the winter meeting and who pays the ACR conference or meeting registration fee will be a member of ACR. A governmental employee who expects to be unable to attend the annual conference or the winter meeting may request to be a member of ACR by writing to the President. The President may approve a membership request to be valid for no longer than the President's term of office. The President will report the approval or rejection of any membership requests at the first business meeting of the annual conference and winter meeting to be counted in the roll call for the purpose of establishing a quorum.~~

~~2. Voting Privileges: Governmental employee members are entitled to vote on all matters coming before ACR.~~

~~3. Service Level: Governmental employee members may be appointed by the President to serve as voting members of standing committees and of special ad hoc committees with voting privileges on these committees.~~

#### 1. Governmental

a. Active. This is a governmental employee who currently works for the federal government, a state, territory, or protectorate.

b. Retired. This is a governmental employee who has retired from a state, the federal government, a territory, or protectorate, who has performed outstanding service to the organization and desires to maintain membership.

c. Honorary. This is a governmental employee who has worked for a state, the federal government, a territory, or protectorate for more than five years, who has not retired and has performed outstanding service to the organization and desires to maintain membership.

d. Emeritus. This is a governmental employee who has served as the ACR Executive Secretary or President. These members maintain a lifetime membership and enjoy the privileges set forth under Article X. Emeritus Member.

e. Academic. This is a governmental employee who works for a state academic institution who has a professional interest in administrative law.

#### 2. Non-governmental

a. NASS/ACR Corporate Affiliate. Platinum, Gold, Silver. This is a corporate entity that has applied to become a NASS corporate affiliate and monetarily supports NASS and ACR.

b. NASS/ACR Conference Sponsor. This is a corporate entity that monetarily sponsors a specific conference or meeting.

c. ACR Corporate Member. This is an individual or corporate entity who is not a corporate affiliate or a conference or meeting sponsor that is for profit and has a professional interest in administrative law.

e. Non-profit organization. This is a non-profit entity that has a professional interest in administrative law.

g. ACR does not endorse, authorize or approve products or services offered by non-governmental members.

### B. ~~Nongovernmental Membership. Dues~~

#### 1. Membership Requirements: Governmental.

a. Any governmental employee who pays the annual conference or meeting registration fee will be a member of the organization. Any academic member who pays the academic registration fee will be a member of the organization.

b. Any governmental employee who expects to be unable to attend the annual conference or meeting may put a request in writing to the President to maintain membership. If approved, the request is good through the next annual conference. The President will report the approval or rejection of any membership request at the first business meeting of the annual conference or winter meeting.

c. If a governmental employee does not attend a conference or meeting, nor provides a request to maintain a membership, the governmental employee may reinstate a membership the next fiscal year by initiating the provisions under this section.

~~Any nongovernmental person who attends the annual conference or the winter meeting and who pays the conference or meeting registration fee will be a member of ACR.~~

#### 2. Non-governmental

- a. NASS/ACR Corporate Affiliate. Any corporate affiliate that pays the NASS corporate affiliate annual conference or meeting registration fee will be a member of the organization.
- b. NASS/ACR Conference Sponsor. Any corporate sponsor that contributes monetarily to a NASS/ACR conference or meeting will be a member of the organization.
- d. Corporate. Any corporate employee who pays the NASS corporate non-member annual conference or meeting registration fee will be a member of the organization.
- e. Non-profit organization. Any non-profit employee who pays the NASS non-profit annual conference or meeting registration fee will be a member of the organization.
- f. A complimentary conference or meeting registration given by NASS to non-governmental members under subsection (B)(2)(a) or (b) will be members of the organization.

C. 2. Voting Privileges:

- 1. Governmental: Each member who has paid their dues shall have one vote on each question before ACR requiring action. A member will disclose a conflict of interest and will not vote on such matters deemed a conflict of interest. Proxy voting is prohibited.
- 2. ~~Non-governmental~~ Non-governmental members who have paid their dues are entitled to ~~will be heard on all issues before ACR requiring action~~ but do not have ACR voting privileges.

~~3.~~ D. Service Level:

- 1. Governmental: Active or academic members may be appointed by the President to standing committees, special ad hoc committees and serve as regional representatives. Only active or academic members may seek office. Retired, honorary and emeritus members may serve as advisors to ACR officers, standing committees and special ad hoc committees.
- 2. ~~Non-governmental~~ Non-governmental members may be appointed by the President to serve as non-voting non-voting members of standing committees and of special ad hoc committees.

~~G.~~ E. Membership Terms Term

- 1. ~~The term of membership will commence on~~ Membership begins the first day of the annual conference or the winter meeting for a period of approximately one year and ~~conclude~~ concludes on the first day of the next annual conference or winter meeting.
- 2. The term of a governmental employee who puts a membership request in writing to the President will commence the day the President receives the request ~~is received by the President~~ and conclude on the first day of the next annual conference or meeting.
- 3. A membership is non-transferable.

F. Membership Principles

- 1. A member will be of good moral character and reflect a favorable image of ACR.
- 2. A member will not enter into contracts on behalf of ACR.
- 3. A member will not unlawfully use ACR assets.
- 4. A member will not use ACR to endorse products or services.
- 5. A member will serve without compensation; however, they may be reimbursed for expenses reasonably related to and incurred in the discharge of standing committee and special ad hoc committees duties if serving on such committees. Any expenses must be preapproved by the ACR officers.

G. Resignation: Any member may resign from this organization. The resignation will become effective upon acceptance of the President.

H. Reporting Violations and Corrective Actions

- 1. Any violation of membership terms will be reported immediately to the President. Any criminal activity will be reported immediately to the authorities. If in the event a potential violation involves an officer, the report will be made to the successive officer.
- 2. The President, or successive officer, will review the violation with officers and determine whether a violation of membership terms has occurred.
- 3. Once the alleged violation has been investigated, corrective action may or may not be taken. Actions may include removal for cause from the organization.

**NOTES: Article I. Memberships Notes**

**In this article we are clarifying memberships due to the specific NASS conference and meeting registrations. To maintain sustainability the membership categories allow for institutional knowledge of retired and**

honorary members. Although we do not currently have “academic” members, the president has attempted to recruit members ie. professors from law schools. Academic members are also listed under NASS conference and meeting registrations.

Non-governmental members are important to us. Our sponsors provide invaluable insight and financial support. As we have learned there are specific types of NASS and ACR sponsorships. These membership types are clarified to make sure that the Non-governmental members properly sign up for conferences and pay the correct fees for membership.

The term “dues” have been added since it has been unclear to new members that signing up for a meeting or conference is payment of dues for a yearly membership.

Membership principles have been added and removal of a member has been added.

## Article V. Voting.

A. ~~Any~~ A governmental employee-member in good standing as provided under Article III, subsections (A)(1) and (B)(1) may vote on any matter presented to ACR for decision by voting at a business meeting.

B. ~~For a vote to be counted at a business meeting a governmental employee-member must be present. A governmental employee-member who attends a business meeting via telephone or an Internet teleconference is considered present and eligible to vote if the employee has received approval to be a member of ACR as provided under Article III.~~

C. ~~All matters~~ Matters are decided by a simple majority of the votes cast, except all bylaw amendments which require a three-fifths majority of the votes cast.

D. ~~The presiding officer will call the roll of voting members for the purpose of establishing a quorum at the first business meeting of the annual conference and winter meeting. To conduct business, a quorum of voting members will consist of at least fifty percent of the attending voting members plus one. be verified by the presiding officer at the first business meeting of the annual conference or winter meeting. To conduct voting on any action before ACR at the second business meeting, a quorum will consist of at least fifty percent of the attending voting members plus one as determined by membership at the first business meeting.~~

### NOTES: Article V. Voting

**Since memberships were added voting privileges were clarified under this article. Any governmental member who paid dues may vote, that is, paid to attend a meeting or conference.**

## Article VI. Officers.

A. Officers: The officers of ACR are the President, the Vice President, and the Secretary-Treasurer.

1. Elections are held biennially beginning in 1990 at the annual conference.
2. Each officer will serve a term of two years or until a successor is selected.
3. A member will not serve more than two consecutive terms in the same office.
4. Only ACR governmental employee-members of ACR in good standing can be nominated for office.

B. Jurisdiction Requirements: 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~~ If a President is nominated and elected from a non-Secretary of State jurisdiction, either the Vice President or Secretary-Treasurer must be chosen nominated and elected from a state or jurisdiction in which the administrative code and register function is under the jurisdiction of a Secretary of State.

~~C. Election Requirements Candidates: Voting ACR members shall elect a President, a Vice President, and a secretary-Treasurer from nominees presented by the~~ The Nominations Committee shall biennially recommend candidates for President, Vice President and Secretary-Treasurer at the first business meeting at the annual conference. The Nominations Committee shall receive a letter of intent to serve as provided under Article XII, Section (C)(1)(c). An ACR governmental member ~~Other nominees may be placed into nomination~~ nominate a member in good standing from the floor at the first business meeting. If the member nominated from the floor does not want to serve, the member can ask to have his or her name withdrawn from the ballot.

D. Elections: A vote of officers will be held at the second business meeting at the annual conference and conducted under Article 4, Section (D).

~~D. E. Reporting to NASS: The outgoing emeritus President, or designee, must will report the names of those elected~~ the new officers to the NASS Executive Committee at the annual conference.

~~E. F. Officer Resignation: All officers who choose to resign must put his or her resignation~~ Resignations will be in writing to ACR--and be effective the date of acceptance by the President or successive officer. The reasons for resigning may be presented, but are not necessary. An officer who resigns in good standing may be eligible to be reconsidered for an office if the Nominations Committee makes such a recommendation.

#### G. Officer Succession:

1. If the elected President is unable to serve or complete the term of office, the elected Vice President will serve the remainder of the President's term.
2. If the Vice President is unable to serve or complete the term of office, the Secretary-Treasurer will serve the remainder of the Vice President's term of office.
3. ~~Should any~~ If a vacancy remain exists in one or more of the elected ~~positions~~ offices, the President (or the individual who becomes President ~~upon the vacation of the office~~ under succession) will, in consultation with the other officer and the Executive Committee, appoint a successor for ~~any the vacant position office~~.
4. ~~Any replacement~~ successive or appointed officer will remain in office until the next biennial officer election ~~of officers is held~~ at the annual conference at which time the successive or appointed officer may be nominated for one more two year term in the same office.

H. Officer Removal: An officer is held to the standards of membership principles under Article III, Section (F). An officer is held to honor the duties of office as provided under these bylaws. An officer may be removed for cause under the provisions provided under Article III, Section (H).

#### **NOTES: Article VI. Officers**

**This article has been updated with nominees becoming candidates for office.**

#### **Article VIII. ~~Duties of the Vice President~~ Duties.**

A. The Vice President will:

1. be managing editor of the ACR State and Federal Survey and chair of the Survey Committee. The managing editor ~~shall will~~ gather and assemble survey data, paginate, publish and distribute the State and Federal Survey;
2. be responsible for the recruitment of new ACR members;
3. be public relations coordinator, and with the assistance of NASS staff, prepare news releases about organization events, member and officer achievements; and maintain the organization's social media sites such as Facebook and Twitter.
- 2.4. in the absence of the President have all the duties, powers, and responsibilities of the President; and
- 3.5. perform other duties as assigned by the President.

**NOTES: Article VIII. Vice President**

**We currently do not have a PIO and a Web committee member has been tasked with the maintenance of social media. Since the current administration has a member of the Web committee as an officer this has been taken care of the past six years. To maintain continuity the VP will be charged to keep social media active.**

## Article XII. Standing Committees.

A. Appointment and Chair:

1. Standing Committee members will be appointed by the President;
2. Standing Committee chairpersons will be appointed from among the membership of the Committee, unless otherwise provided under another bylaw in this Article.

B. Term. A standing committee member and chair serve at the pleasure of the President.

C. Types. Standing Committees must include the following:

1. Nominations Committee.

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

b. ~~Before the annual conference, the~~ Selection: The Nominations Committee will biennially select nominees for the ~~position office of~~ President, Vice President, and Secretary-Treasurer before the annual conference and request letters of consent to serve from the nominees.

c. Letter of Consent to Serve: A nominee will provide a letter of consent to serve from the nominee's supervisor to ~~The the~~ Committee chair or chair's designee ~~must obtain a letter of consent from the supervisor of each nominee.~~

i. The letter must ~~make clear~~ identify the professional relationship between the nominee and the person signing the letter; and

ii. ~~indicate~~ Indicate the supervisor's: ~~willingness consent~~ to allow the nominee to serve the term of office; and

iii. Indicate the supervisor understands the duties of the office as provided under these bylaws; and

iv. Indicate the supervisor understands that the consent includes in-person conference attendance during the term of office. ~~, should the nominee be elected by the membership.~~

~~ii.~~ v. If that person is an employee of a Secretary of State, or equivalent officer, the letter must be signed by the Secretary of State or equivalent officer.

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

c. The Nominations Committee will only nominate those who have provided a letter of consent to serve.

~~e.d.~~ At the annual conference, the The Nominations Committee will biannually present-nominate to AGR at the annual conference it's a list of nominees-qualified candidates for the posts of the offices of President, Vice President, and Secretary-Treasurer.

~~d.~~ The Nominations Committee will 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.

e. Nominations may ~~also~~ be made from the floor at the time the Nominations Committee presents its ~~recommendations~~ the ballot to the membership. Any nomination from the A floor nominee will provide a letter of consent to serve from the nominee's supervisor must be accompanied by the letter of consent as specified under subsection (C)(1)(b)(i) through (iii)-(vi).

i. If the a letter of consent cannot be made is not available-received by the time AGR is ready to vote before the election at the second business meeting, the floor nominee may stand as a candidate for election and be elected under the condition that the upon the nominee's representation that the letter will be forthcoming-delivered to the president in thirty days.

ii. If the floor nominee is elected to the office, a and the letter of consent is not received by the President in thirty days after the nominee's election, the election of that the officer is null voided and void. and the nominee of the The Nominations Committee candidate as named under subsection (C)(1)(d) will become the selection of AGR-be instated into the vacant office.

**NOTES: Standing Committees, Nominations Committee**

**Letters of consent to serve now include that the supervisor not only consents to the term and duties of office, but also that the officer needs to attend the conference during the officer's term.**