This petition was defeated at the March 24, 2010 Council meeting in San Francisco.

**Petition on Candidate Selection by Member Petition**

**Article X, Sec. 3**

**Petition**

We, the undersigned Councilors and members of the American Chemical Society, hereby petition to amend the SOCIETY Constitution as follows (additions *underlined*; deletions struck through):

| REVISED | Article X  
|----------|--------------
| Manner of Election | Sec. 3. |

**VERSION**

Nominations for President-Elect, Directors-at-Large, and District Directors shall be made as provided in the Bylaws. The processes available for selecting candidates shall include, but not be limited to, the following: a) a screening process conducted by the committee responsible for nominations and elections, and b) direct selection by members of the SOCIETY through a petition process provided in the Bylaws. Eligible persons selected by members through petition shall appear as candidates on the final ballot without further screening. For purposes of this Section, a nominee is a MEMBER whose name appears in an earlier step of the screening process and a candidate is a MEMBER whose name appears on a final ballot that elects a person to office. (1/1/01)

**Explanation**

In any truly democratic organization those who are entitled to vote in an election also have the inalienable right to nominate under appropriate conditions candidates to stand for election in addition to candidates nominated by any other means.

Petitioners view with alarm the recent changes in the election procedures in our organization. First the length of candidates' official election statements was reduced from 1000 to 750 words, and then the required number of signatures for petition nomination for President-Elect was almost tripled. At the Council meeting in Salt Lake City, a petition appeared for consideration and to be voted at the Washington Meeting under the original title, “Petition on Election Timelines 2009” (now, Alternate Version title, “Petition on Election Timelines and Procedures 2009”). However, the petition not only would decrease the amount of time available for the members to learn about the candidates for election, but also would eliminate the members’ right to nominate directly a candidate for the election. Substituted instead would be a process allowing the Council to eliminate any or all petition candidates prior to ballots being prepared, thus negating the very reason for having a petition process.
Petitioners request urgent action. This petition does not require second reading, in our opinion, not only because in contrast to others it is very simple, but also because it addresses the basic rights of our members.

Signed:

Robert P. Barron
Lesli Bordas
Elise Ann Brown
Michael J. Brownfield
Bela Buslig
Charles Cannon
Ronald D’Amelia
Richard S. Danchik
Jean Delfiner
George H. Fisher
Allan M. Ford

Onofrio G. Gaglione
Herbert S. Golinkin
James A. Hammond
George Heinze
Sheila Kanodia
Vijaya L. Korlipara
Joan A. Laredo-Liddell
Claude A. Lucchesi
N. Bhushan Mandava
Arthur E. Marcinkowsky
Samuel S. Markowitz

John Massingill
Brian L. Mundell
E. Ann Nalley
Gordon Nelson
John G. Nikely
Anne T. O’Brien
Attila E. Pavlath
Eli M. Pearce
Howard M. Peters
Patricia Redden
Yorke E. Rhodes

Frank Romano
James Schreck
Susan M. Shih
David Strauss
E. Thomas Strom
James Taterra
Keith Vitense
James A. Walsh
Darrell Watson
E. S. Yamaguchi
Peter Zarras

(This petition has been referred to the *Committee on Nominations and Elections, Council Policy Committee, Society Committee on Budget and Finance, Committee on Constitution and Bylaws.)

*Committee having primary substantive responsibility

FINAL STATEMENT OF FINANCIAL IMPACT

The Society Committee on Budget and Finance has examined this petition and concludes that it will have no impact on the finances of the Society ($0).

FINAL REPORT OF THE COMMITTEE ON CONSTITUTION AND BYLAWS

The Committee on Constitution and Bylaws has reviewed the petition and finds it to be legal and consistent with other provisions of the Society’s documents. The petition proposes to permit candidates to be selected by a petition process from members. After further review by the Committee in Washington, DC, additional edits were made to this petition, for which urgent action was requested at that meeting. The petitioners have agreed to the changes.

The intent of the framers of the Constitution was to defer specifics about governance methods to the Bylaws. Therefore, the specifics that the petitioners wish to insert in the Constitution are placed more frequently in the Bylaws. However, we see nothing in the Constitution that would prevent them from making the changes they proposed. Given the intent of the petitioners as stated in their explanation, C&B recommends the changes as noted, including a correction to the revised petition title that’s in the Explanation section.

Comments from committees, petitioners and other interested members on the substance of the petition should be directed to the Committee on Nominations and Elections, which has primary substantive responsibility for the petition. Other comments may be directed to the Committee on Constitution and Bylaws.
A majority vote of Council is required for adoption of an amendment to the Constitution. If approved by Council, the amendment will become effective upon ratification by voting members of the SOCIETY. Comments and suggestions from committees, petitioners, and other interested members on the substance of the petition should be directed to the Committee on Nominations and Elections. Other comments and suggestions may be directed to the Committee on Constitution and Bylaws.

A related petition, Election Timelines 2009, is also on the Council agenda and will be up for action at this meeting. The Election Timelines 2009 petition proposes to change the timing of the national election process.

Dr. Alan M. Ehrlich
Chair