

This petition was defeated at the April 10, 2013 Council meeting in New Orleans.

ALTERNATE VERSION

FOR ACTION

Petition to Amend National Election Procedures

Bylaw V, Sec. 1, 2a, 2b, 5, 11b

Petition

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

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FOR

COUNCIL

ACTION

**BYLAW V
Manner of Election
Section 1.**

Preamble

A candidate is a MEMBER whose name appears on the final ballot that elects a person to office. A nominee is a MEMBER whose name appears on an earlier ballot from which the Councilors select candidates. [N.B. The second sentence was deleted in the original petition but the petitioners have agreed to reinstate it.] ~~(9/24/94)~~

Sec. 2.

President-Elect

a. On or before ~~January 15~~ **April 15**, the Committee on Nominations and Elections shall transmit to the Executive Director of the SOCIETY, ~~for presentation to the Council, the names of four~~ **the names of two** MEMBERS of the SOCIETY as ~~nominees~~ **candidates** for President-Elect. ~~(9/29/94)~~

b. ~~The Council, at a meeting to be held not later than May 1, shall select as candidates for President Elect two of the nominees presented under the provisions of these Bylaws. (9/29/94)~~ **The Executive Director shall cause to be published in the official organ of the SOCIETY in the first issue published after April 30 the names of the two candidates.**

c. Members of the SOCIETY may nominate additional candidates for President-Elect by providing to the Executive Director by July 15,

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nominating petitions endorsed by at least one-half (1/2) percent of the SOCIETY membership entitled to vote in the SOCIETY's most recent fall election, with neither more than one-sixth (1/6) of that from members of a single Local Section nor more than two-thirds (2/3) from any one District of the SOCIETY. Each member may nominate no more than one candidate for President-Elect in a given election. The names of any candidates duly nominated by petition shall be included on the ballot along with the names of those candidates selected by the Council. (6/7/08)

...

Sec. 5- [to be renumbered 2, d, with the current subsection renumbered as 2, e, and subsequent sections renumbered as appropriate].

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Nomination for President-Elect by Councilor Petition

FOR

d. Wherever in these Bylaws provision is made for selection of candidates for President-Elect by the ~~Council from a list of nominees presented by its~~ Committee on Nominations and Elections, nothing herein shall prohibit petitions for nomination **of candidates** ~~from the floor at the Council meeting~~ provided that such petitions are submitted in writing **to the Executive Director by July 15** and signed by not fewer than 50 Councilors ~~present at the meeting~~ and provided that not more than one-third (1/3) of such Councilors shall be MEMBERS of any one Local Section. MEMBERS whose names are so presented shall become ~~nominees~~ **candidates** for that office. (9/29/94)

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Sec. 11-10.

ACTION

Requirements for balloting.

...

b. The Committee on Nominations and Elections shall set and announce in advance of the balloting for President-Elect, District Director, and Director-at-Large the interval during which ballots must be received to be counted; this interval shall be ~~not less~~ **no more** than four ~~not more than seven~~ weeks following distribution of the ballots. (10/19/04)

Explanation

The increasing demands of recent campaigns for electing the President-Elect of ACS have made it ever more difficult to recruit leaders in the chemical community to accept nomination. The problems are increased substantially by the process used to choose candidates from among nominees, as otherwise potentially excellent candidates are often voted off the ballot because they are not well known to Councilors. This happens often with those from industry, and even one academic who later went on to receive the Priestley Medal suffered the same fate. Serving many years in ACS governance is not, and should not be, a pre-requisite for serving as President-Elect.

The proposed bylaw changes would charge the Committee on Nominations and Elections (N&E) to find two candidates for President-Elect. Others, as now, may be nominated by members by petition, and procedures for preferential balloting remain unchanged. All candidates could then be invited to a public forum, such as a Town Hall meeting, at the fall national meeting, and would appear on the ballot. This process would (1) substantially ease the burden on N&E, (2) shorten the campaign season – much desired by all, and (3) allow all candidates to be seen by Council and other members at the fall national meeting.

Signed:

Lisa M. Balbes
Arindam Bose
Dennis Chamot
Donald D. Clarke
D. Richard Cobb

Ronald P. D'Amelia
Alan M. Ehrlich
Dana Ferraris
Ling Huang
David A. Lloyd

N. Bhushan Mandava
Kim M. Morehouse
Sabrina G. Sobel
Nanette Wachter
James J. Zwolenik

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

***Committee having primary substantive responsibility**

FINAL STATEMENT OF FINANCIAL IMPACT

The Society Committee on Budget & 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 prepared a revised version of the petition based on additional changes submitted by petitioners, including changes to clarify the wording so that the candidates' names are published in the official organ of the SOCIETY, rather than in the official journal, and to move the text from Section 5 to Section 2, d, with subsections and sections renumbered as appropriate, so that all candidate information on the President-Elect is included in Section 2.

The Committee finds the revised petition to be legal and consistent with other provisions of the Society's documents.

A two-thirds (2/3) vote of Council is required for approval of amendments to the Bylaws. If approved by Council, the amendments will become effective upon confirmation by the Board of Directors.

Dr. Harmon B. Abrahamson
Chair