

Please attend the open meetings of any of the following committees to discuss this petition, ask questions and/or hear comments. This petition has been referred to the ***Committee on Membership Affairs**, Committee on Local Section Activities, Committee on Division Activities, Council Policy Committee, Society Committee on Budget and Finance, and Committee on Constitution and Bylaws. (***Committee with primary substantive responsibility**)

For more information see www.acs.org/bulletin5 (click on petitions) or contact bylaws@acs.org. The deadline for written comments is April 15, 2016.

ORIGINAL

FOR CONSIDERATION

Petition on the Rights of Affiliates

Bylaw II, Sec. 1, a, 2, a, 3, b, (3) and (4)

Petition

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

Bylaw II
Affiliates and Associates

Sec. 1.

a. No person who is not a member of the AMERICAN CHEMICAL SOCIETY shall become a member of any Local Section; but Local Sections may provide in their bylaws to have Local Section Affiliates, not members of the SOCIETY, who shall be entitled to all the privileges of membership in the Local Section, as provided in the Local Section bylaws, ~~save~~ **except** that of ~~voting for or~~ holding an elective position of the Local Section, **or** voting on Articles of Incorporation and bylaws for the Local Section, or serving as a **voting** member of its Executive Committee or equivalent policymaking body, **or voting for Councilor(s) or Alternate Councilor(s) from the Local Section.** **In their bylaws, Local Section may either provide or withhold the privilege of voting by Local Section Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Local Section. Local Section Affiliates may be appointed as Committee Chairs, if allowed by the bylaws of the Local Section.** (~~1/1/70~~)

Sec. 2.

a. No person who is not a member of the AMERICAN CHEMICAL SOCIETY shall become a member of any Division; but Divisions may provide in their bylaws to have Division Affiliates, not members of the SOCIETY, who shall be entitled to all the

privileges of membership in the Division, as provided in the Division bylaws, except that of holding an elective position of the Division, or voting on Articles of Incorporation and bylaws for the Division, or serving as a **voting** member of its Executive Committee or equivalent policymaking body, or voting for Councilor(s) or Alternate Councilor(s) from the Division. In their bylaws, Divisions may either provide or withhold the privilege of voting by Division Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Division. **Division Affiliates may be appointed as Committee Chairs, if allowed by the bylaws of the Division.** (6/14/81)

Sec. 3.

b. Society Affiliates shall have the following privileges: (11/2/02)

...

(3) Society Affiliates shall be assigned to an appropriate Local Section in the same manner as members as provided in the Constitution and elsewhere in these Bylaws. Society Affiliates may be assessed Local Section dues in the amount specified for Society Affiliates by the bylaws of that Section. In Local Sections, Society Affiliates may be appointed as Committee Chairs, if allowed by the bylaws of the Local Section but may not ~~vote for or~~ hold an elective position of the Local Section, vote on Articles of Incorporation and bylaws of the Local Section, or serve as a voting member of its Executive Committee or equivalent policy-making body. **In their bylaws, Local Section may either provide or withhold the privilege of voting by Society Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Local Section.** (4/1/09)

(4) Society Affiliates may become Society Affiliates of any Division unless specifically prohibited by the bylaws of the Division and shall be subject to such dues as are specified by the bylaws of that Division for Society Affiliates. In Divisions, Society Affiliates may be appointed as Committee Chairs, if allowed by the bylaws of the Division, but may not ~~vote for or~~ hold an elective position of the Division, vote on Articles of Incorporation and bylaws of the Division, or serve as a voting member of its Executive Committee or equivalent policy-making body. **In their bylaws, Divisions may either provide or withhold the privilege of voting by Society Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Division.** (11/2/02)

Explanation

BYLAW II, Secs. 1 and 2 specify the rights of Local Section Affiliates and Division Affiliates; however, we think that Local Section Affiliates and Division Affiliates should be allowed to be nonvoting members of the Executive Committee (or equivalent policymaking body), and to be appointed as Committee Chairs, if allowed in the bylaws of the Local Section or Division. Society Affiliates should also have the right to vote in Local Section and Division elections, except for Councilors and Alternate Councilors, if so decided by each Local Section and Division and if included in their bylaws. These changes would align the voting and participation rights within Local Sections and Divisions for Society Affiliates of a Division, Local Section

Affiliates, and Division Affiliates. This would not change the rights of Society Affiliates as stated elsewhere in the ACS Governing Documents.

Signed:

Dr. Joe D. Allison	Dr. Tracy Hamilton	Dr. Jason Ritchie
Dr. Michael Appell	Dr. Barbara Hillery	Dr. Silvia Ronco
Dr. Roger Bartholomew	Ms. Fran Kravitz	Dr. Martin Rudd
Mr. Rodney M. Bennett	Mr. John M. Long	Dr. L. Kraig Steffen
Dr. Mitchel R.M. Bruce	Dr. Kathryn Louie	Dr. Maria Santore
Dr. Charles E. Cannon	Dr. Mary Ann Meador	Dr. Julianne Smist
Dr. Roger A. Egolf	Dr. Robert B. Moore	Dr. James M. Takacs
Dr. Mark D. Frishberg	Dr. Mary Virginia Orna	Dr. Jeanette M. Van Emon

(This petition has been referred to the ***Committee on Membership Affairs**, Committee on Divisional Activities, Committee on Local Section Activities, Council Policy Committee, Society Committee on Budget and Finance, and Committee on Constitution and Bylaws.)

***Committee having primary substantive responsibility**

PRELIMINARY STATEMENT OF FINANCIAL IMPACT

The financial implications of this petition are still being assessed. The Final Statement of Financial Impact will be available per Article XVIII, Sec. 2, d, which states in part, “The Chair of the Society Committee on Budget and Finance shall prepare a financial impact statement which also shall appear in the Council agenda when action is to be taken on the petition.”

PRELIMINARY 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 not inconsistent with the Constitution of the SOCIETY. The proposed Bylaw amendment accomplishes the petitioners’ goal of aligning the rights within Local Sections and Divisions for Society Affiliates of a Division or Local Section, Local Section Affiliates, and Division Affiliates, provided these are left up to the individual Divisions or Local Sections as stated in their bylaws.

Since the bylaws of Local Sections and Divisions may either provide or withhold the privilege of voting by affiliates, C&B finds that the changes are acceptable.

Within thirty days after the Council meeting at which this petition is considered, comments and suggestions on the substance of the petition from opponents, committees, petitioners, and other interested members should be directed to the Chair of the Committee on Membership Affairs, which has primary substantive responsibility for the petition. Comments and suggestions may be sent to bylaws@acs.org.

Dr. James C. Carver
Chair