FOR ACTION

Petition for Election of Committee Chairs

Bylaw III, Sec. 3, c, (1); d, 3, (3), (8); e, (3), (8); g, (3); i (3)

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 III
Council

Sec. 3

Committees of the Council

. . .

   c. Committee on Committees

(1) The duties of the Committee on Committees shall include:

(a) acting for the Council in the selection of Council-related SOCIETY bodies by assisting and advising in the appointment of the chairs and members of such SOCIETY bodies; (6/10/78)

. . .

(e) appointing members to fill vacancies that have existed longer than sixty days on Council-related SOCIETY bodies whose members or chairs are normally appointed by the President; (9/15/78)

(f) participating as members of a group which that acts to fill vacancies that have existed longer than sixty days on Council-related SOCIETY bodies whose members or chairs are normally appointed jointly by the President and the Chair of the Board; all members of the Executive Committee of the Board of Directors who are not appointing authorities comprise the other members of said group. (9/15/78)

. . .

   d. Standing Committees of the Council

. . .

(3) At the fall meeting of the SOCIETY, The Chair members of each Standing Committee shall be appointed by the President, with the advice of the Committee on Committees, elect their Chair from among the committee’s own members be appointed by the President, with the advice of the Committee on Committees, for one calendar year, beginning January 1 of the following year—each individual being. Each elected Chair will be limited to three successive one-year terms as Chair of the same Committee. However, a Chair will continue to serve until a successor has been elected or appointed. Each Standing Committee shall choose the method to select its
nominees for Chair. If the committee fails to agree on a Chair, the
President of the SOCIETY, in consultation with the Committee on Committees, shall appoint a Chair. (11/19/74)

... (8) The Chair and other members of each Standing Committee must be qualified voting Councilors when appointed. If any member of a Standing Committee becomes disqualified, that member shall be dropped and a vacancy declared, except that the President may postpone until the end of the calendar year dropping from the Committee a Councilor so disqualified and the simultaneous declaration of a vacancy if such postponement will significantly benefit the operations of the Committee. If the elected Chair becomes disqualified, the Chair will be ineligible to continue on the committee, and the President of the SOCIETY, in consultation with the Committee on Committees, shall appoint a Chair. (6/8/91)

e. Society Committees

... (3) The Chair of each Society Committee shall be a voting Councilor. At the fall meeting of the SOCIETY, the members of each Society Committee shall elect their Chair from among the committee’s own members and shall be appointed jointly by the President and the Chair of the Board, with the advice of the Committee on Committees, for one calendar year, beginning January 1 of the following year, each individual being elected Chair will be limited to three successive one-year terms as Chair of the same Committee. However, a Chair shall will continue to serve until a successor has been elected or appointed. Each Society Committee shall choose the method to select its nominees for Chair. If the committee fails to agree on a Chair, the President of the SOCIETY, in consultation with the Committee on Committees, shall appoint a Chair. (4/1/78).

... (8) The committee appointees shall be selected such that at the time of appointment, the Chair and at least two-thirds (2/3) of each Society Committee are qualified voting Councilors. (4/4/78)

g. Other Joint Board-Council Committees

... (3) At the fall meeting of the SOCIETY, the Chair-members of each Other Joint Board-Council Committee shall elect their Chair from among the committee’s own members shall be appointed jointly by the President and the Chair of the Board, with the advice of the Committee on Committees, for one calendar year, beginning January 1 of the following year, each individual elected Chair being will be limited to three successive one-year terms as Chair of a given the same committee. However, a Chair will will continue to serve until a successor has been elected or appointed. Each Other Joint Board-Council Committee shall choose the method to select its nominees for Chair. If the committee fails to agree on a Chair, the President of the SOCIETY, in consultation with the Committee on Committees, shall appoint a Chair. (3/1/79)
i. Other Committees of the Council

(3) At the fall meeting of the SOCIETY, the Chair-members of each Other Committee shall be appointed by the President, with the advice of the Committee on Committees, elect their Chair from among the committee’s own members for one calendar year, beginning January 1 of the following year, each individual being. Each elected Chair will be limited to three successive one-year terms as Chair of the same Committee. However, the President may waive this three-term limit in specific instances. A Chair shall continue to serve until a successor has been elected or appointed.

Each Other Committee shall choose the method to select its nominees for Chair. If the committee fails to agree on a Chair, the President of the SOCIETY, in consultation with the Committee on Committees, shall appoint a Chair. (11/12/87)

Explanation

The petitioners propose changes to the ACS’s Bylaws to allow the voting members of all ACS committees to select their own Chairs. The members of the committees have the career and ACS experience as well as the judgment to select their own Chairs. This will free up the President, the Chair of the ACS Board, and the Committee on Committees to focus on priorities only they can deliberate and act upon. The proposed Bylaw changes will also make the Society, in a small way, more representative and democratic, and less bureaucratic.

Signed:

Dr. Peter J. Bonk
Dr. Mukund Chorghade
Dr. Mary E. Dery
Dr. Harry J. Elston
Dr. John Engelman II
Ms. Mary K. Engelman
Dr. Sheila Kanodia
Ms. Jackie J. O’Neil
Dr. Mary Virginia Orna
Dr. Roger Alan Parker
Dr. Mary Jane Shultz
Dr. Kristine S. Smetana
Dr. Ann M. Sullivan
Ms. Jane V. Thomas

(This petition has been referred to the *Committee on Committees, 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 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 revised the petitioners’ version because the petitioners did not account for procedures in case any of the committees could not reach agreement on who should be Chair. Also, the details of how Chairs are elected continue to be ambiguous and without procedures in place, this could lead to difficulty. In some cases, Chairs have been appointed from other committees,
which has worked well. Some committee members might not be aware of other eligible, qualified candidates from outside the committee who would be appropriate candidates for Chair.

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. V. Dean Adams
Chair