

**ALTERNATE VERSION**

**URGENT ACTION REQUESTED**

**Petition on Candidate Selection by Member Petition**

**Article X, Sec. 3**

**Petition**

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

<b><u>REVISED</u></b>	<b>Article X</b>
	<b>Manner of Election</b>
<b><u>VERSION</u></b>	<b>Sec. 3.</b>
<b><u>FOR</u></b>	Nominations for President-Elect, Directors-at-Large, and District Directors shall be made as provided in the Bylaws. <b><u>The selection of candidates shall be made through two distinct processes: 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.</u></b>
<b><u>COUNCIL</u></b>	<b><u>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 where the candidate may be chosen in the screening process or in an alternative ways, such as by petition. (1/1/01)</u></b>
<b><u>ACTION</u></b>	

**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	Onofrio G. Gaglione	John Massingill	Frank Romano
Lesli Bordas	Herbert S. Golinkin	Brian L. Mundell	James Schreck
Elise Ann Brown	James A. Hammond	E. Ann Nalley	Susan M. Shih
Michael J. Brownfield	George Heinze	Gordon Nelson	David Strauss
Bela Buslig	Sheila Kanodia	John G. Nikelly	E. Thomas Strom
Charles Cannon	Vijaya L. Korlipara	Anne T. O'Brien	James Tatera
Ronald D'Amelia	Joan A. Laredo-Liddell	Attila E. Pavlath	Keith Vitense
Richard S. Danchik	Claude A. Lucchesi	Eli M. Pearce	James A. Walsh
Jean Delfiner	N. Bhushan Mandava	Howard M. Peters	Darrell Watson
George H. Fisher	Arthur E. Marcinkowsky	Patricia Redden	E. S. Yamaguchi
Allan M. Ford	Samuel S. Markowitz	Yorke E. Rhodes	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**

**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).

**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.

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 related petition, "Election Timelines and Procedures 2009," appears on the agenda of this Council meeting For Action. In addition to changing the timing of the national election process, it proposes Bylaw changes with respect to the petition process for nominees and candidates.

A three-fourths vote of Council that sufficient urgency exists is required to take immediate action at this meeting. If so voted, a majority vote of Council is required for adoption of an amendment to the Constitution. If approved by Council and confirmed by the Board of Directors, the amendment will become effective upon ratification by voting members of the SOCIETY. If a three-fourths vote of Council to take immediate action is not attained, the petition will be presented for consideration only. In this case, 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.

Dr. Alan M. Ehrlich  
Chair