

## Report on the Council Agenda for August 19, 2009

The Council of the American Chemical Society will meet in Washington, DC on Wednesday, August 19, 2009 from 8:00am until approximately 12:00pm in the Grand Ballroom of the J.W. Marriott Hotel. All ACS members are invited to attend, although only Councilors are permitted to vote. A continental breakfast will be available starting at 7:00am for all attendees. Items that will require Council action are summarized below:

### Council Action Items

#### Committees

##### *Election to Committees for 2010 – 2012 Terms*

Council will vote to fill open positions on the three Council Committees. There are ten candidates for the *Committee on Committees (ConC)* from which five will be elected: G. Bryn Balazs, Dawn A. Brooks, Victoria L. Finkenstadt, Wayne E. Jones, Jr., John M. Long, Les W. McQuire, Ingrid Montes, Douglas J. Raber, Frankie K. Wood-Black, and Steven W. Yates. There are eight candidates for the *Council Policy Committee (CPC)*, from which four will be elected: R. Gerald Bass, Alan B. Cooper, M. Elizabeth Derrick, Thomas R. Gilbert, Lydia E. M. Hines, Willem R. Leenstra, Sally B. Peters, and Carolyn Ribes. The final committee for which positions will be filled is the Committee on Nominations and Elections (N&E). There are ten candidates for five slots: Roger F. Bartholomew, Dwight W. Chase, Milagros Delgado, Kevin J. Edgar, John W. Finley, Martin L. Gorbaty, Sharon P. Shoemaker, Walter O. Siegl, Herbert B. Silber, and Ellen B. Stechel.

##### *Continuation of Selected Committees*

The Committee on Committees (ConC) will make a recommendation to Council for the continuation/discontinuation of selected committees as part of their regular committee review. The Committees whose future will be addressed are: Chemical Safety, Minority Affairs, Chemical Abstracts Service, Technician Affairs and Analytical Reagents.

#### Bylaw Changes for Action

##### *Petition on Candidate Selection by Member Petition (Article X, Sec. 3)*

This is listed as an “Urgent” petition and is up for Council Action. It is an alternate to the urgent petition put forth earlier by the very same group of supporters. This new petition has some minor wording changes and reads as follows:

“Nominations for President-Elect, Directors at Large, and District Directors shall be made as provided in the Bylaws. The selection of candidates shall be made through **two distinct processes: a) a screening process conducted by the committee responsible for nominations and election, 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 where the candidate may be chosen in the screening process or in an alternative ways, such as by petition.”

The difference in wording between the original and the alternate is minor. It defines who regulates the screening process and states that there are two distinct processes. The original said “...through screening processes and through direct selection by members of the SOCIETY.....”

A  $\frac{3}{4}$  vote of Council is needed to say that there is sufficient urgency to take action on the above. If the  $\frac{3}{4}$

vote is obtained, action will be taken and a majority vote of Council will be required for it to pass. If passed, it will need to be confirmed by the Board of Directors and ratified by voting members of the Society. If the  $\frac{3}{4}$  vote is not obtained, the petition will be presented for consideration only. The change will have no financial impact on the Society and has been approved as legal and consistent with other provisions of the Society by the Committee on Constitution and Bylaws.

#### *Petition on Election Timelines and Procedures 2009 (Bylaw V)*

The bylaw being requested to be changed by the Committee on Nominations and Elections (N&E) is Bylaw V – the Manner of Election (national elections). The potential change is to the timeline for elections as candidates have complained about the length of the election process and the exclusion of petitioners from the full election/vetting process. The proposed timeframe will make the campaign process less onerous and allow full participation of candidates in the Council review process. With this change, N&E would submit the names of nominees to the ACS Executive Director by March 1 rather than by January 15. Petition candidates will be identified by June 15 rather than July 15. Council would select candidates for President-elect at a meeting to be held no later than October 1 (rather than May 1). The selection would no longer be limited to two candidates, but would be limited to half of the number of nominees (the sum of those chosen by N&E and by member petitioners). If an odd number of nominees is on the Council ballot, then the number of candidates to be selected to the next higher integer.

Note that this petition does require that all petition candidates, except those for Director-at-Large, become petition nominees and go through the Council vetting process. The urgent petition above has been put forth to eliminate the vetting of petition candidates.

The change has no financial impact on the Society and has been approved as legal and consistent with other provisions of the Society by the Committee on Constitution and Bylaws.

#### *Dissolution of the Division of Chemical Technicians*

The Executive Committee of the Division of Chemical Technicians (TECH) has requested that the Division be dissolved effective December 31, 2009. The Division was formed in 1991, with membership peaking in 1993 and declining ever since. The Executive Committee voted to dissolve the Division and this decision was supported by 65% of the Division's members. The Committee on Technical Affairs has agreed to take over key TECH activities, including programming at national and regional meetings.

#### *Bylaws for Divisions in Probationary Status*

The changes are to the template used to create bylaws for probationary Divisions. The changes are not substantive, but are meant to keep the template in sync with changes to the ACS bylaws (e.g. change “so indicating in writing” to “sending such notice” to take into account e-mail and changing “mailing” to a “ballot distributed”).

#### *Charter Bylaws for New International Chemical Sciences Chapters*

Similar to changes noted in the above, but also contains a substantive addition to recall elected officials of the Chapter for neglect of duty or conduct injurious to the Society.

#### *Charter Bylaws for New Local Sections*

The changes are to the template used to create bylaws for new Local Sections. The changes are not substantive, but are meant to keep the template in sync with changes to the ACS bylaws and many are editorial (e.g., changing “ $\frac{2}{3}$ ” to “two-thirds”).

## **Bylaw Changes for Consideration**

There is one Bylaw change for consideration only. It will be voted upon at the 2010 San Francisco meeting. It is recommending Bylaw changes with regards to the Admissions Committee and impacts Bylaws I, II, III, and XIII. The recommendations are due to the fact that the Committee on Committees was asked to remove the Admissions Committee from the Bylaws and to transfer those functions to the Committee on Membership Affairs. Before the change any appeal of admission decisions made by the Admissions Committee had been handled by the Committee on Membership Affairs. The bylaw change will move the appeal process to the Council Policy Committee. It also takes into consideration Bylaw changes already approved by the membership that were not in effect when the Petition on Admissions Committee was originally submitted.

The financial impact of the Bylaw changes is still being assessed. The changes have been approved as legal and consistent with other provisions of the Society by the Committee on Constitution and Bylaws.

## **Town Hall Meeting**

A Town Hall Meeting sponsored by the Committee on Nominations and Elections (N&E) will be held on Sunday, August 16, 2009 in the Grand Ballroom, Salon 3 of the JW Marriott Hotel. This will provide an opportunity for all interested parties to observe, hear and ask questions of the candidates for Directors-at-Large for 2010-2012. The meeting will be held from 4:45pm - 5:45pm.

Respectfully Submitted,  
July 30, 2009

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