

June 12, 2009

FINAL REPORT OF THE COMMITTEE ON CONSTITUTION AND BYLAWS

Columbus Section

Reference is made to the March 16 and 17, 2009 e-mails from Steven Rosenthal, Chair-Elect of the Columbus Section, to Barbara Polansky, Staff Liaison to the Committee on Constitution and Bylaws (C&B), submitting the vote certification on the revised bylaw amendments and confirming that all bylaw requirements for voting on the proposed amendments were followed and approved by the membership. Reference is also made to the Preliminary Report of C&B, dated September 6, 2007, and the Section bylaws dated March 19, 1998, which will no longer be valid after June 30.

In response to the Committee's Preliminary Report, the Section made all but one of the required changes and all of the suggested and recommended editorial changes. The one required change and other required changes were made by C&B to align the Section bylaws with the SOCIETY's Constitution and Bylaws and C&B guidelines. In particular, 1) BYLAW IV, Sec. 4 was amended to be consistent with the Society's Constitution and Bylaws; 2) BYLAW VII, Sec. 1 was amended because Councilors and Alternate Councilors are excluded from the recall process; 3) specific references were replaced with "as specified elsewhere in these bylaws"; 4) all occurrences of "Bylaws" were replaced with "bylaws" because "Bylaws" refers only to the SOCIETY's Bylaws; 5) "objects" is a legal term and must be used in BYLAW II; "objectives" is not appropriate; 6) "Chairman" and "chairmen" in BYLAW VIII were replaced with "Chair" and "chairs"; and 7) the membership category of STUDENT MEMBERS was added into the bylaws and the ASSOCIATE MEMBERS category was removed because it is no longer one of the Society's membership categories as of June 30.

Effective June 30, it will be up to each Section as to whether or not STUDENT MEMBERS may hold an elective office, except that they may not be elected Councilor or Alternate Councilor. Because the Section did not give this right to ASSOCIATE MEMBERS, C&B used the same language for STUDENT MEMBERS in the Section's BYLAW IV, Sec. 3. Please contact C&B if you would like to change this language to give this right to STUDENT MEMBERS. C&B made additional formatting and editing changes for consistency. C&B has examined all proposed amendments as requested and finds them to be legal and consistent with the SOCIETY's documents and internally consistent with the Local Section's proposed bylaws.

Regarding future bylaw amendments, C&B is available to review bylaw proposals before they are voted on so that returning to the electorate is avoided in those cases where the changes that are sought cannot be approved. If C&B can provide any additional clarification or help further in amending the Section's bylaws, please contact the Committee's Staff Liaison at 202-872-4071 or 800-227-5558, ext. 4071.

For further information on the following and other useful documents, please refer to the link <http://www.acs.org/bulletin5> for 1) the ACS Governing Documents and 2) *The Preparation and Amendment of Local Section Bylaws*, which includes wording that represents considerable effort by C&B to develop language that is legal and consistent with the SOCIETY's governing documents. The Section is urged to use the guidelines in preparing amendments to its bylaws whenever they meet the Section's intentions and when reviewing Section bylaws for improved scope and clarity.

Alan M. Ehrlich, 2009 Chair
Committee on Constitution and Bylaws