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THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES

**REPORT OF THE EXECUTIVE COMMITTEE ON
PROPOSED AMENDMENTS TO THE ARTICLES OF
ASSOCIATION AND BY-LAWS**

At its meeting held on February 16, 1968, the Executive Committee voted unanimously to recommend the following amendments to the Articles of Association and By-Laws:

ARTICLE 6, PARAGRAPH 2

Line 16—Substitute for “unanimous”, “two-thirds”.

Line 19—Substitute for “unanimous”, “two-thirds”.

Line 21—Substitute for “two-thirds”, “majority”.

Comment:

Accepting, as does Article 6, that there will be circumstances when a statement of the Association's position is required and it is not feasible to call a special meeting of the Association, it would seem that the Executive Committee should be given a reasonable opportunity to reach a decision as to what that position should be. This explains the proposed substitution of “two-thirds” for “unanimous”.

A reading of line 21 suggests that for the Executive Committee to authorize a position of the Association to be expressed, such action must be supported by a two-thirds vote of those present at an Association meeting. There seems to be no adequate reason why this action should require more than a majority vote.

ARTICLE 11, PARAGRAPH 1

Amend to read:

“There shall be an Executive Committee to consist of nine elected members, divided into three classes, and the President, the Vice-Presidents, the Treasurer,

the Secretary, the Membership Secretary and the immediate past President of the Association.”

PAGAGRAPH 2

Amend to read:

“Three members of the Executive Committee shall be elected at each annual election for a term of three years, and also such additional members, if any, as may be necessary to fill vacancies, to hold offices during the terms of the members whose places they fill.”

Comment:

It has been found in the interest of continuity that the President must consult with his immediate predecessor, assuming such predecessor to be living and active. Other changes in these paragraphs are intended to eliminate anachronisms, including the reference in Paragraph 1 to “ex officio members”.

ARTICLE 11, PARAGRAPH 5, LINE 1

Replace “absent from New York” with “absent from the place of meeting”.

ARTICLE 11, PARAGRAPH 5, LINE 1

“their” should be “its”.

ARTICLE 11, PARAGRAPH 8, LINES 2 AND 3

Eliminate “the membership and”.

Comment:

The change in Paragraph 5 is to accommodate to meetings of the Executive Committee outside of New York. The minor amendment in Paragraph 7 is “textual”. It is to be questioned whether a specific purpose of the Executive Committee any longer should be to increase the membership of the Association—thus the change in Paragraph 8.

ARTICLE 13

Eliminate.

Comment:

In 1958 the Association set up a Division of Administrative Law. That "Division" has withdrawn and formed its own association. As might have been anticipated, any segment of our membership requiring separate listing as a Division must have the kind of autonomy over its actions ruled out by Article 13. This was the case of the Division on Administrative Law, which found that it was hampered by Article 13 in taking positions in the somewhat narrower area of its interests. The 1958 experiment has not served the interests of the Association and Article 13 appears to be unnecessary. This elimination will of course require the renumbering of subsequent articles.

PRESENT ARTICLE 15, PARAGRAPH 2

Amend to read:

"The requirements of this By-Law or any part thereof may at any time be waived or suspended by action of the Executive Committee for good cause."

Comment:

"Suspend" is a textual change. The provision that action of the Executive Committee can be taken "at any time" is intended to eliminate any interpretation that such action might be required before 40 days prior to the date of the meeting.

It is the intention of the Executive Committee to present the foregoing amendments at the meeting of the Association to be held on May 3rd.