

EMERGENCY MEDICINE RESIDENTS' ASSOCIATION REPRESENTATIVE COUNCIL PROCEDURES

I. General Principles

The *Emergency Medicine Residents' Association (EMRA) Representative Council Procedures* is the official method for handling and conducting the business brought before the Representative Council (the "Council"). The Council transacts its business according to a blend of rules imposed by the current Bylaws of the Emergency Medicine Residents' Association (the "Association"), established by tradition, decreed by its presiding officer, the "Speaker of the Council" (the "Speaker"), and is generally pursuant to the guidance of the current edition of the American Institute of Parliamentarians (AIP) *Standard Code of Parliamentary Procedure*. The majority opinion of the Council in determining what it wants to do and how it wants to do it should always remain the ultimate determinant. It is the obligation of the Speaker to sense this will of the Council, to preside accordingly, and to hold their rulings ever subject to challenge from, and reversal by, the assembly.

II. Representatives

A. Eligibility

Program Representatives ('representatives') to the Council and their alternates shall be selected and have their credentials verified according to the provisions of the Bylaws of the Association. No officer or director of the Association may serve as a program representative or alternate.

B. Credentialing

Representatives and their alternates are required to be registered and verified by Association staff prior to admission to the Council meeting floor for the purpose of voting. There shall be only one vote card, or designation, distributed to the credentialed representative and/or alternate per program. Credentialed representatives are allotted one vote for each EMRA member at their residency program and associated fellowship programs at the institution as described in the Association Bylaws. Association staff will report the number of credentialed representatives prior to the beginning of each session of the Council to the Speaker.

C. Alternate Representatives

Alternate representatives may make motions and vote in place of the program representative during Council meetings at the discretion of, or in the absence of, the program representative.

If a credentialed representative or alternate is not present at a meeting of the Council, another member of the same program or institution who is present may be seated as a representative *pro tem* by Association staff.

D. Board of Directors

Members of the Board of Directors will be seated on the floor of the Council. Such members may address the Council on any matter under discussion but shall not have voting privileges in Council sessions.

III. Introduction of Business

A. Addresses, Remarks, and Awards

Addresses by outgoing and incoming presidents, remarks by the Speaker, presentation and acceptance

of awards, recognition of distinguished guests and the like are in a special category of tradition. It is the prerogative of the Speaker to permit these niceties as may be appropriate without unduly intruding upon the time necessary for the Council to accomplish its regular business. In general, such items are scheduled in advance in the published order of business. Unscheduled presentations may be arranged and conducted by the will of the Speaker. It is to be recognized that the Speaker must usually discourage extraneous unscheduled presentations, not because of any lack of merit to the proposals, but because of the primary obligation to conserve the time of the Council for its immediate deliberations.

B. Reports

Reports are routinely received as business of the Council when they come from the Board of Directors, standing and *ad hoc* committees and certain officials of the Association. Any report including recommendations for policy initiatives or Council action is referred to the Reference Committee so that hearings may be held on the substance thereof. Reports exceeding five pages must be accompanied by a one page or less executive summary. Submitted reports will be accessed only by the Speaker, Vice Speaker, Parliamentarian, and necessary Association administrative staff until the general release of the *Representative's Handbook* to the [Association website](#).

C. Resolutions

Business is introduced to the Council through the presentation of resolutions. A resolution is a formal motion that proposes a policy belief of the Association or directs the Association to take specific action. If adopted, a resolution will become official Association policy and will apply henceforth to future business of the Association.

1. Authorship

Any member or group of members of the Association in good standing may introduce a resolution to be considered by the Council, including voting representatives on behalf of their program or on an individual basis. The Board of Directors may also submit resolutions to the Council.

2. Submission

Resolutions should be submitted to the [Association web portal](#). Emailed resolutions will be accepted in case of technical difficulties as long as received before the deadline.

3. Processing of Resolutions

a) Regular Resolutions

Resolutions must be received by Association staff no later than 11:59 p.m. Central time of the forty-fifth calendar day prior to the upcoming Council meeting to be considered. Receipt of resolutions will be acknowledged by email upon receipt. Submitted resolutions will be accessed only by the Speaker, Vice Speaker, Parliamentarian, and necessary Association staff until publication.

EMRA will publish Council resolutions on the Association website no later than thirty calendar days prior to the meeting.

b) Late Resolutions

Occasionally, an urgent issue may arise after the due date for regular resolution submission but before the emergency resolution cutoff. Any such resolution will be labeled as a "late resolution" and discussed at the Council meeting. Given that Council representatives will have limited time to fully review the resolution prior to the meeting, only pressing matters will be considered under this mechanism. A

late resolution may be considered only if the Council deems the issue and the proposed action to be urgent, and the reasons for late submission appropriate. Acceptance as an item of business requires a two-thirds affirmative vote of the Council. However, the Reference Committee may consider the resolution during their deliberations, noting that the Representative Council must first accept the resolution by two-thirds vote before debate or voting on the Reference Committee's recommendations. Any resolution not accepted under this late resolution mechanism may be resubmitted for routine consideration at a future meeting of the Council.

c) Emergency Resolutions

Any resolution introduced after 11:59 p.m. Central time of the tenth calendar day prior to the opening of the Council shall be labeled an "emergency resolution." Emergency resolutions are limited to substantive issues that could not have been considered prior to the Council meeting because of their acute nature. Emergency resolutions require both approval of the Speaker and a two-thirds vote of the Council in order to be accepted as Council business. The Speaker is given broad discretion in determining whether to approve the resolution for acceptance as items of Council business. The Speaker should balance the responsibility to facilitate Council business and to honor the will of the representatives against whether consideration of the subject matter of the resolution would serve the best interests of the Association and whether internal or external time pressures make immediate consideration of such resolutions imperative. If the Speaker rules against acceptance of such a resolution, the resolution may still be accepted for business upon a three-fourths affirmative vote of the Council. Emergency resolutions approved for consideration shall be debated on the floor of the Assembly without referral to the Reference Committee and may only be adopted or otherwise favorably acted upon by a three-fourths vote of the Council. If not approved for acceptance as Council business, such resolutions may be resubmitted as regular items of business at future meetings of the Council.

d) Deferred Resolutions

When a resolution presents a potential legal problem, the Speaker and Association staff will contact the author to discuss the problem. If the author is able to remedy the situation, the resolution will be published in the routine manner. However, if for whatever reason remedy of the legal problem is not possible, the Speaker will designate the resolution as "deferred"; it will not be published to the Association website or included in the *Representative's Handbook*. No resolution will be taken for a vote or considered by the Reference Committee if it presents real, perceived, or potential legal problems to the Association.

e) Commendation Resolutions

The introduction of commendation resolutions is prohibited in the Council. Commendations should be sent to the Board of Directors for consideration of an award or other appropriate recognition.

f) Memorial Resolutions

The Council may receive resolutions to posthumously memorialize a physician who has made significant contributions to the Association. Memorial resolutions are published but not read. The Speaker will announce the memorial resolutions

and call for a moment of silence at the regular meeting of the Council.

g) Bylaws Amendments

Proposed amendments to the Bylaws must follow the procedures for amendments contained with the current Bylaws of the Association. Any individual member or committee may offer a resolution to the Council recommending an amendment to the Bylaws. Resolutions recommending Bylaws amendments will be subject to testimony and analysis through the Reference Committee process prior to voting by the Council. The Council may then amend and vote on the amendment, except in special situations as denoted in the Bylaws. A two-thirds vote of credentialed representatives is necessary for adoption.

4. Structure of Resolutions

A resolution serves as the main motion before the Council. Therefore, in order to be considered, a resolution must contain only “whereas” and “resolved” clauses. Improperly worded resolutions will be returned for modification. Preambles will not be accepted. For a guide to writing a resolution, please see *EMRA Representative Council Guidelines for Writing a Resolution* on the Association website. Council Officers are available for additional assistance but may not draft language or give the perception of influencing the author or other members of Council.

a) Title

The resolution title should briefly summarize the intent of the proposed resolution. Titles should not routinely be debated or amended by the Council; however, these may be modified by the Reference Committee or Speaker to ensure congruence with adopted resolution language.

b) “Whereas” Clauses

“Whereas” clauses serve to identify the problem at hand, advise the Council as to the timeliness or urgency of the problem, describe the effect of the issue upon the membership of the Association, and indicate if the action called for is contrary to, or will revise, current Association policy. A “whereas” clause is a statement of fact. Information contained in the “whereas” clauses should be checked for accuracy. Inflammatory statements or other language that reflects poorly on the Association is not permitted. “Whereas” clauses cannot be amended or debated by the Council. “Whereas” clauses carry no binding effect and are discarded after Council action on the accompanying “resolved” clauses.

c) “Resolved” Clauses

“Resolved” clauses are either statements of Association policy, or directives to take specific actions. A single resolution may contain both types of “resolved” clauses. Each clause must be able to stand independently of the others, therefore each proposed action or policy statement must be written in a separate “resolved” clause. The “resolved” clauses should not refer back to the prefatory statements. For clarity, all proposed actions should be stated in the affirmative. “Resolved” clauses are debatable and may be altered by the Council.

d) References

All resolutions shall be accompanied by appropriate supporting background material. The Association is not responsible for obtaining background

research on any resolution.

e) Supporting policy

Any current Association policy that forms the basis for a resolution, or exists in support of it, must be referenced. If no Association policy exists, it must be explicitly stated that none exists. Supporting policies from outside organizations shall be included in the reference section.

IV. Presentation of Reports and Resolutions

A. Reports

A report is “received” when it is introduced as the business of the Council. Reports will be made available by publication to the Association website. The Council may decline to receive a matter only by objecting to its consideration at the time of its introduction on the Council floor.

B. Regular Resolutions

At the appropriate time, the Speaker will call for resolutions. For each resolution, there must be an author. Resolutions that have complied with the policies contained in these adopted procedures and the Association Bylaws shall be published to the Association website and regarded as officially received. Regular resolutions will be included in the *Representatives’ Handbook* and regarded as business items before the Council. The Council may decline to receive a matter only by objecting to its consideration at the time of its introduction on the Council floor.

C. Late Resolutions

Late resolutions will be made available to representatives, as above, with denotation of such resolution being ‘late’ and subject to approval by the Council before consideration may be given to the merits of the resolution. The authors of late resolutions will be given an opportunity to explain the reason for late submission. The Council will then be asked to vote on the acceptance of individual late resolutions. A two-thirds affirmative vote is required for acceptance of a resolution as official business of the Council. At the time of introduction of any resolution, it is possible for any representative to object to its consideration. In the event that the Council does not approve consideration by a two-thirds vote, the resolution is not accepted as Council business, but may be considered at future Council meetings as a regular item of business. The Reference Committee may consider the resolution during their deliberations, noting that the Representative Council must first accept the resolution by two-thirds vote before debate of or voting on the Reference Committee's recommendations.

D. Emergency Resolutions

Given the timing, emergency resolutions are those submitted after the Reference Committee has met and discussed regular and late resolutions. The Speaker will determine if an emergency resolution will be presented to Council. However, if the Speaker rules against acceptance of such a resolution, the resolution may still be accepted for business upon a three-fourths affirmative vote of the Council. Emergency resolutions approved for consideration shall be debated on the floor of the Assembly without referral to the Reference Committee and may only be adopted or otherwise favorably acted upon by a three-fourths vote of the Council. If not approved for acceptance as Council business, such resolutions may be resubmitted as regular items of business at future meetings of the Council.

V. Reference Committee

A. Members

The Reference Committee is a group of members selected by the Speaker to conduct open hearings on matters of business of the Association. Committee members are not required to be program

representatives, but must be Association members in good standing. No officer of the Association shall serve on a Council Reference Committee. The committee and its Chair will be appointed by the Speaker.

B. Duties

The committee will hold a hearing prior to the Council session. Having heard discussion on the subject before it, the committee then drafts a report with recommendations to the Council for disposition of its items of business.

C. Procedures

Reference Committee hearings are open to all members of the Association, invited guests, interested outsiders, and members of the press. Any member of the Association is privileged to speak on the resolution or report under consideration. Non-member physicians, guests or interested outsiders may, upon recognition by the Chair, be permitted to speak. The Chair is privileged to call upon anyone attending the hearing if, in their opinion, the individual may have information that would be helpful to the committee.

Equitable hearings are the responsibility of the Chair, Speaker, Vice Speaker, and Parliamentarian. The aforementioned may establish rules regarding the presentation of testimony with respect to limitations of time, repetitive statements, and the like. Additionally, a decision will be made regarding allowing recordings of the hearing. If, in the Chair's estimation, such factors would be, or become, undesirable for the conduct of an orderly hearing, the Chair may act to prohibit them. Reference Committee chairs have the authority to go into executive session at any point during the hearing.

Reference Committee chairs should not ask for an expression of the sentiments of those attending the hearing by an informal vote on particular items. The committee members may ask questions to be sure they understand the opinions being expressed or may answer questions if a member seeks clarification; however, the committee members should not enter into discussions with members providing testimony or express opinions themselves during the hearings.

It is the responsibility of the Reference Committee to listen carefully and evaluate all the opinions presented so that it may provide the voting body with a carefully considered recommendation.

The Reference Committee hearing is the proper forum for discussion of controversial items of business. In general, representatives who have not taken advantage of such hearings for the presentation of their viewpoints or the introduction of evidence should be reluctant to do so on the floor of the Council. On the other hand, there is never compulsion for mute acceptance of Reference Committee recommendations at the time of the presentation of its report.

Following the open hearing, the Reference Committee will go into executive session for deliberation and construction of its report. The committee may call into such executive session anyone whom it may wish to hear or question.

VI. Reference Committee Reports

A. Purpose

Reference Committee reports comprise the bulk of the official business of the Council. They need to be constructed swiftly and succinctly after conclusion of the hearings in order that they may be reviewed, formatted, and made available to the Council in advance of the meeting. Reference committees have wide latitude in their efforts to facilitate expression of the will of the majority on the matters before them and to give credence to the testimony they hear. They may amend resolutions, consolidate kindred resolutions by constructing substitutes, and they may recommend the usual parliamentary procedure for disposition of the business before them, such as adoption, rejection, amendment, referral, and the

like.

B. Main Motion

Each report or resolution that has been accepted by the Council as its business is the matter before the Council for disposition together initiating from the Reference Committee recommendations. In the event that a number of closely related items of business have been considered by the Reference Committee and the consolidation or substitution has been proposed by the committee, the recommendations of the Reference Committee will be the matter before the Council for discussion.

The Speaker will open for discussion the matter which is the immediate subject of the Reference Committee report. The effect is to permit full consideration of this business, unrestricted to any specific motion for its disposal. Any appropriate motion for disposition by extraction may be made from the floor. In the absence of such a motion, the Speaker will state the question in accordance with the recommendation of the Reference Committee. Minority reports from Reference Committee members are in order.

C. Format

Each item referred to the Reference Committee should be reported to the Council as follows:

- Identify resolutions by number and title;
- Identify reports by name of Committee or action;
- State concisely the Reference Committee's recommendation and placement on the consent agenda;
- Comment, as appropriate, on the testimony presented at the hearings; and
- Discuss and provide supporting evidence for the recommendations of the Reference Committee.

D. Consent Agenda

The Consent Agenda, or waiver of debate list, includes all items referred to the Reference Committee such as resolutions, reports, and Bylaws amendments. Such items of business are listed in the Reference Committee report with their recommendation for adoption (with or without amendments or substitutions), not adoption, referral, or other specific recommendation as contained in Subsection E. The Reference Committee recommendation is accepted unanimously and all debate is waived unless the item is extracted as described below.

E. Notes on Specific Recommendations

1. Filed

The Reference Committee is reporting on informational material provided to the Council which encompasses no specific proposal for action. The Reference Committee expresses appreciation of the report and recommends the matter be filed for information.

2. Not adopt

The Reference Committee is reporting on a matter of business which, in its opinion, should be rejected. If the item is extracted, the Speaker raises the question on adoption of the resolution before the Council for discussion, making it clear that the Reference Committee has recommended not adoption of the resolution.

3. Refer

The Reference Committee is reporting on a resolution or report which it feels should be given further consideration by the Board of Directors, or to an appropriate Board-designated committee or working group. The Reference Committee may not recommend an amendment to a resolved clause or other specific recommendation pertaining to the referral. If extracted, The Speaker places the matter of referral before the Council for discussion. The Council must first defeat referral if it prefers to adopt, not adopt, amend, postpone, or table the matter—any one of which it is free to do. If the Council does not vote down the Reference Committee recommendation, then the item is referred with no further debate.

4. Amend

The Reference Committee is reporting on a resolution or report which it wishes to amend by addition, deletion, alteration, or substitution. If extracted, in order to permit the normal procedures for parliamentary handling, the matter which is placed before the Council for discussion is the amended version as presented by the Reference Committee together with the recommendation for its adoption. It is then in order for the Council to apply amendments of the first and second order in the usual fashion to this Reference Committee recommendation. Such procedure does not preclude the possibility that a Council representative may wish to restore the matter to its original unamended form. This may be accomplished by a motion to amend the Reference Committee's recommendation to restore the original language.

5. Substitute

The Reference Committee is reporting on two or more kindred resolutions or reports. It wishes to recommend a consolidation into a single resolution, or it wishes to recommend adoption of one of these items in its own right and as a substitute for the rest. If extracted, for orderly handling, the matter before the Council for consideration is the recommendation of the Reference Committee to adopt the substitute or consolidated version. If the Reference Committee's version is not adopted, the entire group of proposals has been rejected, but it is in order for any representative to move for consideration and adoption of any one of the original resolutions.

6. No Action

The Council should take a definite action on resolutions and, only if necessary, reaffirm current policy. In the event that "no action" is the only appropriate posture for the Association with respect to a particular resolution, the Chair of the Reference Committee, after consultation with the Speaker, may place such resolution on the consent agenda in a category designated "no action." Such a motion, if adopted, is the equivalent of a motion to table (postpone temporarily) and results in suppression of the resolution if not extracted.

7. Reaffirmation

From time to time, the Reference Committee will report on a resolution which calls for a policy position contrary to or at variance with existing policy. If the committee wishes to recommend reaffirmation of existing policy, it should recommend not adopting the resolution. Reaffirmation is relatively indecisive since the previous policy has not been specifically reintroduced and debated.

VII. Form of Action upon Reports and Resolutions

A. Disposition of Reports

When the Council wishes to acknowledge that a report has been received and considered, but that no action upon it is either necessary or desirable, the appropriate proposal for action is that the report be filed. This does not have the effect of placing the Association on record as approving or accepting responsibility for any of the material in the report.

When a report offers recommendations for action, these recommendations may be adopted, which has the effect of making the Association responsible for the matter as described in the Association Bylaws.

When the Council does not wish to assume responsibility for the recommendation of a report in its existing form, it may take action to refer back to committee, refer elsewhere, reject the report in entirety or in specific part (not adopt), or adopt as amended.

B. Disposition of Resolutions

The consent agenda will be placed at the beginning of the Reference Committee report, organized by the committee's recommendation. Any representative may extract any item from the consent agenda for individual debate or action by simple request. After all requests for extraction of items are heard, the remaining consent agenda recommendations will be unanimously approved *en bloc* without discussion. Consideration of the remaining resolutions in the Reference Committee report will proceed in the traditional manner, taking any extracted resolution(s) first. Adoption of resolutions or referral to the Board of Directors has the effect of making the Association responsible for the matter as described in the Association Bylaws.

VIII. Parliamentary Procedure

A. Governing Code

In the absence of specific provisions to the contrary in the current Bylaws of the Association or in this manual of adopted procedures, the Council shall be governed by the parliamentary rules and usage contained in the current edition of the American Institute of Parliamentarians (AIP) *Standard Code of Parliamentary Procedure*.

B. Recognition

Representatives or members of the Board of Directors wishing to debate should proceed to one of the standing floor microphones. Each individual shall provide their name and the delegation represented each time they are recognized by the Speaker. In addition, the representative should state their position for or against the pending motion unless proposing a new motion.

C. Rules of Debate

The Council may alter the limits on debate at any time except when there is a pending motion to vote immediately or to table. If no such motion to limit debate is made, then the following standard limits shall apply:

- Each speaker shall be limited to three minutes.
- Each speaker may address the Council no more than two times on a particular motion.
- No member will debate again on the same question until everyone has had an opportunity to debate once.
- While representatives and their alternates have full privileges of the floor, other individuals may

be recognized to address the Council at the Council Speaker's prerogative. This ruling may be overruled by a majority vote of the representatives.

- A member speaking on the floor who has not exceeded their time limit may not be interrupted by another member unless that other member has a valid point of order.
- Any member who has exceeded their time limit may be allowed to continue debate at the discretion of the Council Speaker.

D. Precedence of Motions

Motions are made so that those that are lower in rank can be modified by those that are higher. It is perfectly acceptable to skip a step in the list when making motions (for example, it is not required to amend a motion in order to move to limit debate). Votes are taken, starting from those higher on the list toward those lower on the list, until complete disposition has been made of the matter at hand.

It is not uncommon to move up the list in making motions, then to move partway down the list in voting, and again to repeat the procedure before completely disposing of the matter at hand.

E. Principal Rules of Governing Motions

	Interrupt Speaker?	Second Needed?	Debate Allowed?	Amendable?	Motions or Action to Which It Applies	Motions That Can Be Applied to It	Vote Required for Passage
Precedented Motions*							
Privileged Motions							
10. Adjourn	No	Yes	No	No	None	None	Majority
9. Recess	No	Yes	Yes	Yes	None	Amend	Majority
8. Table (Postpone Temporarily)	No	Yes	No	No	Main	None	Majority
7. Vote Immediately	No	Yes	No	No	Debatable	None	2/3
6. Limit Debate	No	Yes	Yes	Yes	Debatable	Amend	2/3
5. Postpone Definitely	No	Yes	Yes	Yes	Main	Amend, vote immediately, limit debate	Majority
4. Refer for Decision	No	Yes	Yes	Yes	Main	Amend, vote immediately, limit debate	Majority
3. Refer for Report	No	Yes	Yes	Yes	Main	Amend, vote immediately, limit debate	Majority
2. Amend	No	Yes	Yes	Yes	Rewordable	Vote immediately, limit debate	Majority
Main Motions							
1a. The Main Motion	No	Yes	Yes	Yes	None	Specific main, subsidiary	Majority
1b. Specific Main Motions							
Reconsider	Yes	Yes	Yes	No	Main	Vote immediately, limit debate	Majority
Rescind	No	Yes	Yes	No	Main	Vote immediately, limit debate	Majority
Resume Consideration (Take from Table)	No	Yes	No	No	Main	None	Majority
Incidental Motions#							
Appeal	Yes	Yes	Yes	No	Rulings of the Chair	Vote immediately, limit debate	Negative majority
Suspend Rules	No	Yes	No	No	None	None	2/3
Consider Informally	No	Yes	No	No	Main	None	Majority
Requests							
Conditional Requests†							
Question of Privilege	Yes	No	No	No	None	None	Majority
Withdraw Motion	Yes	No	No	No	All	None	Majority
Division of Question	No	No	No	No	Main	None	Majority
Mandatory Requests‡							
Point of Order	Yes	NA	NA	NA	Any Error	None	No vote
Parliamentary Inquiry	Yes	NA	NA	NA	All	None	No vote
Division of Assembly	Yes	NA	NA	NA	Indecisive Vote	None	No vote
*Precedented motions are numbered 1 through 10 in order of precedence.					†Conditional requests must be granted or voted on immediately.		
#Incidental motions must be decided immediately.					‡Mandatory requests must be granted immediately		
					NA=Not applicable		

1. Privileged Motions

a) Postpone Temporarily (Table)

The motion to postpone temporarily is to set aside a pending main motion, which can be taken up and further considered at any time during the same meeting. This is the highest-ranking subsidiary motion to be applied to a main motion and requires a majority vote. It can have no other motions applied to it, requires a second, and is not debatable. It can be applied to a motion even after it has been determined that debate on the motion has been terminated. This would, in effect, temporarily postpone the vote on the main motion to which no other debate can be applied and allow the motion to be brought from the table for resumption of debate. When such debate is resumed, if the vote to terminate debate has been previously decided, it would simply require that the vote, at that time, be taken without further debate. If no motion to resume consideration is made prior to adjournment of the meeting, the motion dies without action.

b) Vote Immediately

When the assembly feels that it has heard enough and wishes to vote on the matter at hand at once it uses the motion to vote immediately. A motion to vote immediately requires a second and no debate is allowed. This motion applies only to the immediately pending question unless the representative making the motion to vote immediately qualifies the motion by specifically stating that it applies to all pending matters. A motion to vote immediately on all pending matters will only be accepted if the Speaker rules that both sides have been heard on all pending matters. In the event a motion to vote immediately prevails, the Council must act without further debate on the item of business and all pending amendments in proper order of precedence. The Speaker will not recognize the motion to vote immediately or terminate debate as being in order if it is added at the conclusion of the significant discussion of the immediately pending question. At the discretion of the Speaker, a motion to vote immediately will not be accepted until the Council has heard at least one speaker representing each side of the issue.

c) Limit or Extend Debate

Any representative may move to limit or extend debate on any item of business before the Council. A second is required. Further debate is restricted to the type and time of limitations or extensions proposed. Such a motion must be adopted by a two-thirds majority vote.

d) Postpone Definitely

This motion serves to delay further consideration of a pending motion until a stated time. The procedure is exactly as described to postpone temporarily, with the exception that a specific time for the resumption of debate is specified.

A motion to postpone definitely requires a second and is debatable. This motion is useful to allow representatives time to construct amendments or otherwise discuss the issue informally before presenting a motion to the assembly, while other Council business continues. It also allows an urgent matter to preempt temporarily debate on the current item of business.

e) Refer for Decision

When the Council refers an item of business to the Board of Directors for decision, the Council gives authority to the Board of Directors to make the decision as to what action is appropriate. If the motion to refer is adopted, all pending or adopted amendments as well as the original resolution are referred. Once the Board of Directors determines the appropriate action they will subsequently inform the Council and implement, as applicable, by appropriate means.

f) Refer for Report

If it is desired that a matter be referred to the Board of Directors or through the Board to the appropriate committee, a motion is made to refer for report. It should be specifically indicated if a report back to the Council is desired at a definite time. Without such a directive, the matter of reporting or its timing is up to the body receiving the referral. If the motion to refer is adopted, all pending or adopted amendments as well as the original resolution are referred. All referrals to specific committees are made through the Board of Directors. The Board of Directors shall not alter reports or recommendations of committees or individuals, when the Board has referred an issue, resolution, or report to that entity as a result of referral from the Council.

g) Amend

Amendments are used to alter a main motion under consideration. Amendments may be by addition, deletion, or substitution. A second is required to accept an amendment. Debate is then limited to the proposed amendment only. A second-order amendment (amendment to the amendment) may be proposed; however, third-order amendments are not in order. Second-order amendments are limited to the scope of the primary amendment. Should the main motion be postponed or referred, all pending amendments shall be debated on resumption of consideration of the main motion. All motions for substantial amendments to resolutions (more than three words in length) must be submitted to the Speaker in writing prior to being introduced verbally. When appropriate, the amendment will be projected on a screen for viewing by the Council.

2. Main Motions

a) Reconsider

If a motion to reconsider is approved, it allows the assembly to debate and to vote again on a main motion at the same meeting, as though no previous vote had been taken.

b) Recall

In order to undo a motion to refer that has been adopted by the Council at the same session, a technique for calling back a referral is the use of the motion to recall. The motion to recall is similar to the motion to reconsider in terms of its intent, but the motion to reconsider can be applied only to a main motion. The motion to refer is a subsidiary motion. The motion to recall requires a second and is debatable, but only as to the reasons for and the propriety of recall. Not debatable is the substance of the main motion itself or any of its pending amendments except as they might apply to the

appropriateness of recall.

c) Amend a Previous Action

Not infrequently, it becomes desirable because of afterthought or further consideration to modify an action that has already been taken. If the modification is a simple addition to the action taken, rather than a substantive change, it is not necessary to reconsider. A motion to amend a previous action is in order and becomes a main motion.

d) Withdraw a Resolution

Occasionally the author of a resolution decides that it should be withdrawn. At any time prior to the acceptance of the resolution as the business of the Council, the author may withdraw the resolution from the Council's agenda. After acceptance as an item of business, it becomes the property of the Council. At the time of the Reference Committee hearings, the author may suggest to the Reference Committee that withdrawal would be preferable to other action. If the Reference Committee agrees, it may recommend to the Council in its report that leave to withdraw be accorded by the Council. The Speaker, having confirmed approval by the author, places the question on granting leave to withdraw. A majority vote in the affirmative accomplishes the withdrawal action.

3. Conditional Requests

a) Question of Privilege

Any member may rise to a question of privilege in order to make a request of the Speaker to ensure the safety, comfort, convenience, or rights of the assembly.

b) Division of Question

Occasionally, in the course of debate, it becomes desirable to separate a proposal into its component parts. This situation often arises when discussing a complex or controversial proposal with many "resolves." Some items may be noncontroversial, while a particular clause may threaten defeat of the entire proposal. In such instances, a representative may request division of the question. The question may be divided only if it contains more than one independent proposition, so that if one proposition is defeated, the remaining "resolves" are still logical. An incidental request for division of the question may only be applied to the main motion.

4. Mandatory Requests

a) Point of Order

If a representative believes that a rule has been violated, they may rise to a point of order immediately after the error is discovered. A point of order on a procedural matter is not in order if raised after another motion has been decided. Any further discussion from the representative asking for the privilege is out of order unless recognized by the Speaker. The Speaker shall immediately rule on the point of order and does not require consultation with the Parliamentarian. If the representative disagrees with the propriety of the Speaker's ruling on any matter, they may appeal the decision by two-thirds vote of the Council.

Anyone wishing to invoke this right simply stands and announces, before any

other business has taken place, that they appeal the ruling of the Speaker. The question becomes, "Shall the decision of the Speaker stand as the judgment of the Council?" Such a vote is then taken and the business of the Council may then resume.

b) Parliamentary Inquiry

Any representative may rise to a point of parliamentary inquiry to request clarification on any matter. Questions requesting clarification on a procedural matter in question, a proposal one would wish to make, or of another representative are in order. All inquiries shall be addressed to the Speaker. Any further discussion from the representative asking for the privilege is out of order unless recognized by the Speaker. The parliamentary inquiry itself is not debatable.

c) Division of Assembly

Should any representative of the assembly be in doubt as to the outcome of a vote, they may request a division of the assembly. This motion may be applied only to the immediately preceding vote. It does not require a second, is not debatable, and requires no vote. Representatives shall then vote by raising their voting cards or by submitting their vote through an individually identifiable remote voting system as determined by the Speaker. Association staff shall then count every vote cast and report the result to the Speaker, who shall announce the outcome.

d) Voting Procedure

The method of voting is the Speaker's prerogative and may be accomplished with the use of voting cards, voice votes, electronic votes, or other means. The motion in question shall pass upon receiving the required majority of votes cast. In the event that a motion will fail for lack of one vote due to a tie, the Speaker may, at their discretion, cast the deciding vote.

e) Announcements

Announcements of general interest to Council attendees may, at the discretion of the Speaker, be made from the floor. The Speaker will, however, discourage private announcements and those that are not germane to the business of the Council or the Association.

f) Use of Electronic Devices

Electronic devices present in the Council meeting room must be kept in "silent" mode at all times during the Council meeting. Anything other than brief conversation should occur outside the Council meeting room.

g) Smoking

Smoking or vaping are not permitted during Council meetings.

IX. Sunset Policy

A. Timing

All EMRA resolutions and policies shall be reviewed on a five-year schedule commencing after the fall meeting the year in which the resolution is adopted. Policies in effect prior to the implementation of this sunset mechanism will be grouped by policy area and integrated into the five-year cycle.

B. Composition of Committee

Reviews shall be conducted by a policy review committee composed of the President, Immediate-Past President, Council Speaker and Vice-Speaker, Parliamentarian, Director of Health Policy, and two appointed program representatives. The Council Officers shall appoint the program representatives sixty days prior to the fall meeting.

C. Criteria for Consideration

Policies shall be measured against the following criteria:

- Relevance to the Association’s mission
- Relevance to the Association’s interests and those of the specialty of Emergency Medicine. Core beliefs of the organization or specialty shall be retained.
- Current state of the policy.
 - Subject matters that have been resolved should be sunset. Policies addressing ongoing issues should be reaffirmed. Recent developments may prompt sunset, reaffirmation, or referral for Board review of the policy.
- Effect of policy or action item.
 - If the outcome did not fulfill the intended goals of the resolution, then the policy should be reaffirmed and further action proposed. If the outcome was satisfactory, then the resolution should be sunset.
- Concordance with other Association policy. No policy of the Association may contradict another.

D. Committee Procedures

The committee shall operate by consensus. No policy may be recommended for sunset unless two-thirds of the committee members agree.

The committee may not recommend any amendment that would substantially alter the original intent of the policy as adopted by the Council. Furthermore, the committee may not propose an amendment that would direct new action, significantly expand existing policy, or grant new power or additional obligation to the Council or Board of Directors. All new policy initiatives must be submitted via the standard resolution submission process.

E. Committee Report

A consent agenda of recommended actions (sunset, reaffirm, or refer for Board review), along with a brief explanation for each recommendation, shall be submitted to the Council no later than forty-five days prior to the fall Council meeting. The consent agenda will become an item of business on the fall meeting agenda. Any representative may extract any item from the consent agenda for individual consideration by simple request. Debate on the item shall be limited to the policy review committee’s recommendation only. Amendments to the policy itself shall be considered out of order.

“Board review” requires review, report, and recommendation at the next Council meeting. If more time is required, the Board of Directors may request a six-month extension to be approved by the Council.

X. Staff Duties

A. Purpose

Association staff will perform critical duties to facilitate and ensure the proper function of the

Council meeting. Responsibilities include:

- Registration of all program representatives in attendance;
- Counting all votes when requested by the Speaker during a meeting;
- Collection, tabulation, and recording of votes during elections;
- Submission of a report detailing the results of all votes and elections during the Council meeting to the Speaker during the meeting; and
- Distribution and collection of surveys from all representatives in attendance.

B. Composition

Association staff will perform the necessary duties to ensure the aforementioned responsibilities are carried out in full. At times, staff may request assistance from available members of the Association's Board of Directors, which should be provided. However, no director or officer of the Association, candidate for office, or program representative, may credential representative or alternate members attending the Council meeting for the purpose of voting.

C. Procedures

Association staff shall conduct the business of the Council in accordance with these adopted rules, the Bylaws of the Association, and adopted parliamentary authority. Association staff may not cast votes during the Council meeting.

- Once quorum has been established, as defined by the Association Bylaws, the Representative Council is able to hold elections and/or vote on resolutions.
- Program representatives must be credentialed prior to the 'Call to Order' marking the official beginning of the Council business agenda. Program representatives may be credentialed at any time before the 'Call to Order'.
- Should a program representative need to leave the Council meeting for the remainder of the meeting prior to the completion of elections and/or voting on resolutions and an alternate is not available, the representative's ballots will not be counted. However, if the representative is able to give notice at the time of credentialing that they will need to leave the meeting before the close of business, they may designate and leave their ballots with Association staff to have the remainder of their votes counted. However, should there be a runoff vote, their ballots will not be included.
- Association staff will be responsible for keeping a running total of the number of representatives present at the meeting in the event that a vote requires a majority or a two-thirds vote.

XI. Parliamentarian

A. Purpose

The Parliamentarian is a member skilled in parliamentary procedure. They serve to advise the Speaker when requested, but have no authority to make rulings on Council matters.

B. Appointment

The EMRA Representative to the American Medical Association (AMA), as appointed by the Board of Directors, shall act as the Parliamentarian.

XII. Sergeant-at-Arms

A. Purpose

The Sergeant-at-arms, under the direction of the Speaker, helps to maintain order and decorum at meetings of the Council. The Sergeant-at-Arms acts as a doorkeeper and is responsible for the comfort and convenience of the Council.

B. Appointment

The duties of Sergeant-at-Arms will be performed by the individual holding the office of the Immediate Past-President of the Association at the beginning of the Council meeting. Their service will continue until the gavel closes the Council business meeting.

XIII. Elections

A. Campaign Rules

Campaigning in any form, by the candidate, or any other person on their behalf, is prohibited before nominations have been formally announced by EMRA (approximately 45 days in advance of the election). Personal communications may be sent by the candidate soliciting support. The use of mass communication tools, by the candidate or any person on their behalf, for campaigning purposes, is prohibited. Campaigning by any other person other than the candidate, in any form, is prohibited.

1. Campaign Materials

Buttons, stickers, gifts, emails, parties, or socials with the intent of promoting a candidate are prohibited at any time. The distribution or display of campaign material or items will not be permitted during any sponsored Association function. Candidates are permitted to circulate campaign materials only at the Council meeting and pre-election Council sponsored candidate reception. Campaign materials are limited to a one-page paper handout. Negative materials pertaining to another candidate are prohibited at all times.

2. Candidate Receptions

Candidates may campaign in person at the EMRA Representative Council sponsored pre-election candidate reception, as well as the Medical Student Council meeting, preceding the Representative Council meeting. Candidates may not participate in other candidate receptions prior to elections.

3. Endorsement

The Officers and Directors of the Association shall not endorse candidates for election to Association leadership.

The Council Officers, in consultation with the Board of Directors, are the arbiters of any questions or violations of these candidate campaign rules, with consequences to be determined by the Board, including but not limited to removal from the ballot.

B. Election Protocol

1. Nominations

Nominations for election to the Board of Directors shall be taken from the Association web portal as well as from the Council floor. Pursuant to the Bylaws of the Association, nominations shall be taken for only one open office at a time. Nominations for other open offices shall be taken following the announcement of the result of the previous election. Any eligible member of the Association, as determined by the provisions of the Bylaws of the Association, may nominate themselves. No second is required for

nomination. Nominations shall not be limited in number. Nominations for an open office will be closed by the Speaker after the call for floor nominations has been concluded.

2. Candidate Address

Each candidate will be allotted time to address the Council at the discretion of the Speaker. A question and answer period will follow, the format of which is determined by the Speaker. No other candidates will be allowed to be in the room while another candidate is addressing the Council.

3. Balloting Procedure

a) Sealed Floor

Just prior to the elections, the floor will be sealed and monitored by the Sergeant-at-Arms. Once the floor has been sealed, no representative will be permitted to enter or exit the floor of the Council meeting.

b) Ballot Requirements

Voting shall be by a ballot approved by the Board of Directors. A vote shall be declared void if the number of invalid ballots is enough to alter the outcome or if the total number of invalid ballots is greater than ten percent of the total number of representatives credentialed and voting at the Council meeting. A ballot shall be considered invalid if there are greater or fewer votes on the ballot for candidates than the required number on a particular ballot. There shall be no write-in voting. The complete list of candidates' names will be shown on the screen at the same time for the office in question.

c) Runoff Ballots

Elections are determined by the majority of votes cast. If no candidate is elected, then the two candidates who received the highest number of votes on the inconclusive ballot will participate in a runoff vote.

4. Election Results

If nominations have been closed with only a single candidate nominated for an open position, the Speaker shall declare the candidate elected to the office by acclamation without taking a vote.

For all other candidates, upon completion of voting and verification of votes, Association staff will report the election result to the Speaker along with a breakdown of ballots received. The Speaker will then announce the results of the election. The Speaker, in consultation with staff, will make the final determination as to the validity of a vote.

XIV. Amending the Representative Council Procedures

Amendments to these procedures shall be through introduction of resolutions or reports to the Council. Such resolutions or reports shall follow the procedures described herein and in the Association Bylaws. Revisions should occur in tandem with regular Bylaws review to ensure compatibility of procedural guidelines.

Emergency amendments to these adopted procedures can occur immediately at any meeting of the Council by a two-thirds vote. Such emergent amendments shall expire at the close of the meeting in which they were adopted.

Amendments:

- September 2005: Sections II and VIII (Resolution A '05-02: Alternate Representatives)
- May 2006: Title change from *Adopted Procedures of the Representative Council* to *Emergency Medicine Residents' Association Representative Council Procedures*
- June 2010: Section X, subsection C addition
- June 2011: Section XIII, subsection B amendments
- May 2013: Section XII, subsection A, paragraph 2 amendments
- May 2017: Section VIII, subsection F, paragraph 4, subparagraphs c & d amendments
- October 2023: Complete revision (please see executive summary)