

# EMERGENCY MEDICINE RESIDENTS' ASSOCIATION REPRESENTATIVE COUNCIL PROCEDURES

## I. General Principles

*Emergency Medicine Residents' Association 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, and generally pursuant to the guidance of the current edition of Sturgis' *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 his or her rulings ever subject to challenge from, and reversal by, the assembly.

## II. Representatives

### A. Eligibility

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 the Credentials and Tellers Committee prior to admission to the Council meeting floor. There shall be only one vote card and set of ballots distributed to the credentialed representative and/or alternate per program. The Credentials and Tellers Committee will report the number of credentialed representatives prior to the beginning of each session of the Council.

### 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 certified representative or alternate is not present at a meeting of the Council, another member of the same program who is present may be seated as a representative pro-tem by the Chair of the Credentials and Tellers Committee.

### D. Military Proxy Voting

Proxy votes may be cast at meetings of the Council by military residency programs. If the representative or alternate from a military residency program will not attend a meeting, and the program decides to assign its votes to the representative of a military program who will attend the meeting, a written proxy must be submitted to the Executive Director twenty-one

days prior to the meeting. A representative of a military program may vote for a maximum of two other military programs. The proxy must state the name of the representative assigning the proxy, the name of the program whose votes are being assigned, the name of the person and program to whom the votes are being assigned. The proxy must also state the specific matter(s) for which the proxy is being assigned. Upon receipt of a signed proxy, the Executive Director will verify the proxy and, upon verification, the proxy will become effective for the stated meeting. The Credentials and Tellers Committee may verify an assigned written proxy one hour prior to the start of the Council meeting.

#### **E. 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 so many of 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 with 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, and necessary Association administrative staff until the general release of the online or printed *Representatives' Handbook*.

#### **C. Resolutions**

Business is introduced into the Council through the presentation of resolutions. A resolution is a formal motion that states 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 not only to the present meeting but also to future business of the Council.

##### **1. Sponsorship**

Any member or group of members of the Association in good standing may introduce a resolution to be considered by the Council. Resolutions may also be submitted by voting

representatives on behalf of his or her program or as an individual, by the Board of Directors, or by the Council Officers.

## **2. Submission**

Resolutions can be submitted by email, fax, or US mail to:

Emergency Medicine Residents' Association  
4950 W. Royal Lane  
Irving, TX 75063-2524  
Phone: 800 798-1822 x3298 or 972 550-0920  
Email: [emra@emra.org](mailto:emra@emra.org)  
Fax: 972.692.5995

## **3. Processing of Resolutions**

### **a) Regular Resolutions**

Resolutions must be received by Association staff no later than 5 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 or phone within five business days. Submitted resolutions will be accessed only by the Speaker, Vice Speaker, and necessary Association administrative staff until the general release of the *Representatives' Handbook*.

EMRA will distribute resolutions to members of the Council via the Association website at <http://www.emra.org> no later than thirty calendar days prior to the upcoming meeting. Copies of all properly submitted resolutions will also be distributed onsite at the Council meeting and reference committee hearing. Notice of resolutions proposing amendments to the Bylaws shall be given according to the provisions of the current Bylaws of the Association.

### **b) Late Resolutions**

Occasionally, an urgent issue may arise after the due date for regular resolution submission. Any such resolution will be labeled as a "late resolution" and circulated at the Council meeting. As Council members will not have had the ability to review the issue 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. Any resolution not accepted under this late resolution mechanism may be resubmitted for routine consideration at another meeting of the Council.

### **c) Emergency Resolutions**

Any resolution introduced after 5 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 his or her responsibility to facilitate the transaction of 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. Finally, if such a resolution is introduced after the reference committee hearing, it may be adopted or otherwise favorably acted upon only upon a three-fourths vote of the Council. If not approved for acceptance as Council business, such resolutions may be resubmitted at another meeting of the Council.

**d) Deferred Resolutions**

When a resolution presents a potential legal problem, the Speaker and Association staff will contact the sponsor and discuss the problem. If the sponsor is able to remedy the situation, then the resolution will be distributed in a routine manner. However, if for whatever reason remedy of the legal problem is not possible, then the Speaker will designate that resolution as a “deferred” resolution, and the resolution will not be distributed in the *Representatives’ Handbook*. The Board of Directors will meet prior to the reference committee meetings. The sponsor will be invited to the meeting to discuss the resolution. The Board of Directors will recommend that the Council either accept or not accept the resolution as official business of the Council. A majority vote of the Council is required for acceptance.

**e) Commendation Resolutions**

The introduction of commendation resolutions is prohibited in the Council. These resolutions may be controversial in nature and, because unanimous approval is assumed without debate, commendation resolutions may serve to embarrass the Association. Commendations should be sent to the Board of Directors for consideration for an award or other appropriate recognition.

**f) Memorial Resolutions**

The Council may receive memorial resolutions to remember a physician who has made significant contributions to the Association. Memorial resolutions are printed and distributed but not read. The Speaker will announce the memorial resolutions and call for a moment of silence.

#### **g) Bylaws Amendments**

Proposed amendments to the Bylaws must follow the procedures for bylaws 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 on the floor of the Council. The Council may then amend and vote on the specific bylaws amendment. A two-thirds vote of the representatives present and voting 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 the *EMRA Representative Council Guide to Writing a Resolution*. Council Officers are available for additional assistance.

##### **a) Title**

The resolution title should summarize in a few words the intent of the proposed resolution. Titles cannot be debated or amended by the Council.

##### **b) “Whereas” Clauses**

“Whereas” clauses serve to identify the problem at hand, advise the Council as to the timeliness or urgency of the problem, 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 reflect poorly upon the Association will not be permitted. “Whereas” clauses cannot be amended or debated by the Council. “Whereas” clauses carry no legal effect, and are discarded after Council action on the accompanying “resolved” clauses.

##### **c) “Resolved” Clauses**

“Resolved” clauses are either a statement of Association policy, or a directive to take specific action. A single resolution may contain both types of “resolved” clauses. Each clause must be able to stand independently of the others, so 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, state all actions 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 will not be 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 by distribution in the online or onsite *Representatives’ Handbook*. 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 a sponsor. Resolutions that have complied with the policies contained in these adopted procedures shall be distributed in the *Representatives’ Handbook* and regarded as officially received. 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 distributed to the representatives. The sponsors of late resolutions will be given an opportunity to explain the reasons for submitting late resolutions. The Council will then be asked to vote on the acceptance of each resolution individually. 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 sustains such objection by a two-thirds vote, the resolution is not accepted as business of the Council.

##### **D. Emergency Resolutions**

If an emergency resolution is introduced prior to the beginning of the reference committee hearing, it shall be referred to the Reference Committee upon acceptance by the Speaker. If an emergency resolution is introduced and accepted by the Speaker after the reference committee hearing, the resolution shall be debated on the floor of the Council at a time chosen by the Speaker.

#### **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. No officer of the Association shall serve on a Reference Committee of the Council. The committee will be appointed a chair by the Speaker. The Speaker reserves the right to defer the chair position to a former at-large member of the EMRA Reference Committee.

##### **B. Duties**

The committee will hold a hearing prior to the Council session. Having heard discussion on the subject before it, the committee draws up 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. Nonmember 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 the chair's opinion, the individual called upon may have information which would be helpful to the committee.

Equitable hearings are the responsibility of the Chair, and the committee may establish its own rules on the presentation of testimony with respect to limitations of time, repetitive statements, and the like. The Chair also has the jurisdiction over such matters as photography, television filming, and the introduction of recording devices. 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 that 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 speakers or express opinions 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 its open hearings, the Reference Committee will go into executive session for deliberation and construction of its report. It 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 completion of the hearings in order that they may be processed and made available to the representatives in advance of formal presentation. 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 which has been accepted by the Council as its business is the matter which is before the Council for disposition together with 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 reference committee's substitute will be the matter before the Council for discussion.

The reference committee report should not contain a direct motion. 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 amendment or disposition 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 the resolution by number and title and reports by letter and name of the Committee or Board of Directors;
- State concisely the reference committee's recommendation;
- Comment, as appropriate, on the testimony presented at the hearings;
- Incorporate supporting evidence of the recommendations of the Reference Committee;
- Consent calendar.

## **D. Consent Calendar**

The consent calendar, or waiver of debate list, includes those items referred to the Reference Committee which meet one of the following criteria, as determined by the Reference Committee:

- Informational reports
  - Little or no debate generated during the reference committee hearing
  - Clear consensus of opinion (either pro or con) was expressed during the hearing
- Note: Items dealing with amendments to the Bylaws of the Association are never placed on the consent calendar.

These items are listed at the end of the reference committee report with the committee's recommendation for adoption, referral, or rejection.

## **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 that the matter be filed for information. The Speaker declares the original matter to be before the Council for discussion. In the absence of any other motion from the floor, the Speaker places the question on the adoption or approval of the reference committee recommendation to file for information. When it appears that there is no debate, the Speaker may declare "it is filed" without the necessity of a formal vote. Such a statement records the action and concludes such an item of business.

## **2. Not adopt**

The Reference Committee is reporting on a resolution which, in its opinion, should be rejected, and it so recommends. The Speaker places the resolution before the Council for discussion. In the absence of other motions from the floor, the Speaker, at the appropriate time, places the question on adoption of the resolution, making it clear that the Reference Committee has recommended a vote in the negative.

## **3. Refer**

The Reference Committee is reporting on a resolution or report which it feels should be transmitted for further consideration to the Board of Directors, or through the Board to an appropriate committee or section, and it so recommends. The reference committee may not recommend an amendment to a resolve or recommendation for which it recommends referral. The Speaker places the original matter before the Council for discussion. It may be that the Council prefers to adopt this matter, amend it, postpone it, or table it, any one of which it is free to do; or the Council may wish to follow the reference committee's recommendation. If there is no motion from the floor, the Speaker will put the motion on the recommendation of the Reference Committee "to refer." If this fails to pass, the motion is again on the adoption of the resolution or report.

## **4. Amend**

The Reference Committee is reporting on a resolution or report which it wishes to amend by addition, deletion, alteration or substitution. 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 version. Such procedure does not preclude the possibility that someone may wish to restore the matter to its original unamended form. This may be accomplished by a motion to amend the reference committee version 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. For orderly handling, the matter before the Council for consideration is the recommendation of the reference committee of the substitute or consolidated version. A motion to adopt this substitute is a main motion and is so treated. 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 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 calendar 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 for the current meeting.

#### **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 adoption of 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.

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, to refer elsewhere, to reject the report in entirety or in specific part (not adopt), or to adopt as amended.

#### **B. Disposition of Resolutions**

The consent calendar will be listed at the beginning of the reference committee report, organized by the committee's recommendation for adoption, referral, or not adoption. Any representative may extract any item from the consent calendar for individual debate or action by simple request. After all requests for extraction of items are heard, the remaining consent calendar 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.

## **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 Sturgis' *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 microphones. Each speaker shall provide his or her name and the delegation represented each time that he or she is recognized by the Speaker. In addition, the representative should state his or her position for or against the pending motion if not 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 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 his or her time limit may not be interrupted by another member unless that other member has a valid point of order, which according to the governing parliamentary authority permits such interruption.
- Any member who has exceeded his or her time limit may be allowed to continue debate at the discretion of the 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 a 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 (see chart)**

## Principal Rules 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
<b>Precedented Motions*</b>							
<i>Privileged Motions</i>							
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
<b>Main Motions</b>							
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
<b>Incidental Motions#</b>							
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
<b>Requests</b>							
<i>Conditional Requests†</i>							
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
<i>Mandatory Requests§</i>							
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			

## **F. Comments on Specific Procedures**

### **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 that 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; 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 option 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 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 subject are referred. Once the Board of Directors determines the appropriate action, whether affirmative or negative, the Board of Directors subsequently will inform the Council 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 subject 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 adhere 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 sustained, it allows the assembly to debate and to vote again on a main motion taken at the same meeting, as though no previous vote had been taken on it.

**b) Recall**

In order to undo a motion to refer which 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 it becomes a main motion.

**d) Withdraw a Resolution**

Occasionally the sponsor 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 sponsor 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 sponsor 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 sponsor, places the question on granting leave to withdraw. A majority vote in the affirmative accomplishes withdrawal.

**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, or 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, he or she 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. If the member disagrees with the propriety of the Speaker’s ruling on any matter, he or she may appeal the decision of the Chair.

##### **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 member of the assembly be in doubt as to the outcome of a vote, he or she 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. The Credentials and Tellers Committee 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, the Speaker may, at his or her discretion, cast the deciding vote.

##### **e) Announcements**

Announcements of general interest to members of the Council may, at the discretion of the Speaker, be made from the podium. 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

Cell phones, pagers, laptop computers, and other electronic devices present in the Council meeting room must be kept in “silent” mode at all times during the Council meeting. Cell phone conversations should occur outside the Council meeting room.

g) Smoking

Smoking is 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, Legislative Advisor, 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, reaffirm, 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 renewed 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 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 calendar 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 sixty days prior to the spring Council meeting. The consent calendar will become an item of business on the spring meeting agenda. Any representative may extract any item from the consent calendar 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. Credentials and Tellers Committee**

### **A. Purpose**

The Credentials and Tellers Committee serves to facilitate the Council meeting. Responsibilities of the Credentials and Tellers Committee include:

- registration of all program representatives in attendance;
- counting of all votes when requested by the Speaker during a meeting;
- collection, tabulation, and recording of all votes during elections;
- submission of a report recording 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**

The Speaker shall appoint members of the Credentials and Tellers Committee from applications that are submitted to Association headquarters on a deadline set by the Speaker. No director or officer of the Association, candidate for office, or program representative of any candidate may serve as a member of the Credentials and Tellers Committee.

### **C. Procedures**

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

- Once a quorum has been established by the Credentials and Tellers Committee as defined by the EMRA Bylaws the Representative Council is able to hold elections and/or vote on resolutions.
- While it is best that Program Representatives get credentialed prior to the start of the

respective Representative Council Meeting, Program Representatives may be credentialed at any time during the Representative Council Meeting

- Should a Program Representative need to leave the Representative Council Meeting for the remainder of the meeting and prior to the completion of elections and/or voting on resolutions and an alternate is not available, the program representative ballots will not be counted. If however, the program representative is able to give prior notice at the time of credentialing that they will need to leave the meeting, they may leave their completed ballots with the Credentials and Tellers Committee to have the remainder of their votes counted. However, should there be a run-off vote; their ballots will not be included in the run-off.
- The Credentials and Tellers Committee 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 2/3 vote.

## **XI. Parliamentarian**

### **A. Purpose**

The parliamentarian is a member skilled in parliamentary procedure. He or she serves to advise the Speaker when requested, but has no authority to make rulings on Council matters.

### **B. Appointment**

A parliamentarian shall be appointed by the Speaker prior to the Council meeting.

## **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**

A sergeant-at-arms shall be appointed by the Speaker prior to the Council meeting.

## **XIII. Elections Policy**

### **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 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 questions or any violations of these Candidate Campaign Rules, with consequences to be determined by the Board, and potentially including removal from the ballot.

## **B. Election Protocol**

### **1. Nominations**

Nominations for election to the Board of Directors or Vice Speaker of the Council shall be taken from the floor of the Council. 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 him or herself. 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 three minutes to address the Council. A question and answer period will follow. No other candidates will be allowed to be in the room while another candidate is addressing the Council or conducting the question and answer period.

### **3. Balloting Procedure**

#### **a) Sealed Floor**

Just prior to the elections, the floor will be sealed. 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**

Election is by majority of legal 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 ballot.

#### **4. Election Results**

If nominations have been closed with but a single candidate nominated for an open position, the Speaker shall declare the candidate elected to office.

Upon completion of the voting and verification of votes for a candidate, the Credentials and Tellers Committee chair will collect the election result and report that result to the Speaker of the Council along with a breakdown of ballots received. The Speaker will then announce the results of the election. The Chair of the Credentials and Tellers Committee will make the final determination as to the validity of an overall 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 outlined in these adopted procedures. Urgent 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, Part C addition

June 2011: Section XIII, Part B Amendments

May 2013: Section XII, Part A.2 Amendments

May 2017: Article VIII, Section F, subsection 4c and 4d Amendments