

PLEASE NOTE: THIS RESOLUTION WILL BE DEBATED AT THE 2020 COUNCIL MEETING. RESOLUTIONS ARE NOT OFFICIAL UNTIL ADOPTED BY THE COUNCIL AND THE BOARD OF DIRECTORS (AS APPLICABLE).



Council Standing Rules Amendment

RESOLUTION: 10(20)
SUBMITTED BY: Council Steering Committee
SUBJECT: Commendation and Memorial Resolutions

PURPOSE: Amends the Council Standing Rules to codify that commendation and memorial resolutions are not assigned to a Reference Committee for deliberation and recommendation to the Council.

FISCAL IMPACT: Budgeted resources to update the Council Standing Rules.

1 WHEREAS, The Council Standing Rules specify that resolutions submitted by the deadline will be assigned
2 to a Reference Committee for deliberation and recommendation to the Council; and
3

4 WHEREAS, Traditionally, commendation and memorial resolutions, whether submitted by the deadline, or
5 submitted as a late or emergency resolution, are not assigned to a Reference Committee for discussion and
6 recommendation to the Council; and
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8 WHEREAS, The Council Standing Rules should be amended to codify this practice; therefore be it
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10 RESOLVED, That the Council Standing Rules, “Reference Committees” section, paragraph one, be amended
11 to read:
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13 “Resolutions meeting the filing and transmittal requirements in these Standing Rules will be assigned by the
14 speaker to a Reference Committee for deliberation and recommendation to the Council, **except for commendation
15 and memorial resolutions**. Reference Committee meetings are open to all members of the College, its committees,
16 and invited guests.”; and be it further
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18 RESOLVED, That the Council Standing Rules, “Resolutions” section, be amended to read:
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20 “Resolutions” are considered formal motions that if adopted by a majority vote of the Council and ratified by
21 the Board of Directors become official College policy. Resolutions pertaining only to the Council Standing Rules do
22 not require Board ratification and become effective immediately upon adoption. Resolutions pertaining to the College
23 Bylaws (Bylaws resolutions) require adoption by a two-thirds vote of credentialed councillors and subsequently a
24 two-thirds vote of the Board of Directors.

25 Resolutions must be submitted in writing by at least two members or by component bodies, College
26 committees, or the Board of Directors. A letter of endorsement is required from the submitting body if submitted by a
27 component body.

28 All motions for substantive amendments to resolutions must be submitted in writing through the electronic
29 means provided to the Council during the annual meeting, with the exception of technical difficulties preventing such
30 electronic submission, signed by the author, and presented to the Council prior to being considered. When
31 appropriate, amendments will be distributed or projected for viewing.

32 Background information, including financial analysis, will be prepared by staff on all resolutions, **except for
33 commendation and memorial resolutions**, submitted on or before 90 days prior to the annual meeting.

34 • **Regular Non-Bylaws Resolutions**

35 Non-Bylaws resolutions submitted on or before 90 days prior to the annual meeting are known as “regular
36 resolutions” and will be referred to an appropriate Reference Committee for consideration at the annual
37 meeting.

38 Regular resolutions may be modified or withdrawn by the author(s) up to 45 days prior to the annual
39 meeting. After such time, revisions will follow the usual amendment process and may be withdrawn only with
40 consent of the Council at the annual meeting. As determined by the speaker, extensive revisions during the 90
41 to 45 day window that appear to alter the original intent of a regular resolution or that would render the
42 background information meaningless will be considered as “Late Resolutions.”
43

44 • ***Bylaws Resolutions***

45 Bylaws resolutions must be submitted on or before 90 days prior to the annual meeting and will be
46 referred to an appropriate Reference Committee for consideration at the annual meeting. The Bylaws
47 Committee, up to 45 days prior to the Council meeting, with the consent of the author(s), may make changes
48 to Bylaws resolutions insofar as such changes would clarify the intent or circumvent conflicts with other
49 portions of the Bylaws.

50 Bylaws resolutions may be modified or withdrawn by the author(s) up to 45 days prior to the annual
51 meeting. After such time, revisions will follow the usual amendment process and may be withdrawn only with
52 consent of the Council at the annual meeting. As determined by the speaker, revisions during the 90 to 45 day
53 window that appear to alter the original intent of a Bylaws resolution, or are otherwise considered to be out of
54 order under parliamentary authority, will not be permitted.
55

56 • ***Late Resolutions***

57 Resolutions submitted after the 90-day submission deadline, but at least 24 hours prior to the beginning of
58 the annual meeting are known as “late resolutions.” These late resolutions are considered by the Steering
59 Committee at its meeting on the evening prior to the opening of the annual meeting. The Steering Committee
60 is empowered to decide whether a late submission is justified due to events that occurred after the filing
61 deadline. An author of the late resolution shall be given an opportunity to inform the Steering Committee why
62 the late submission was justified. If a majority of the Steering Committee votes to accept a late resolution, it
63 will be presented to the Council at its opening session and assigned to a Reference Committee, **except for**
64 **commendation and memorial resolutions**. If the Steering Committee votes unfavorably and rejects a late
65 resolution, the reason for such action shall be reported to the Council at its opening session. The Council does
66 not consider rejected late resolutions. The Steering Committee’s decision to reject a late resolution may be
67 appealed to the Council. When a rejected late resolution is appealed, the Speaker will state the reason(s) for
68 the ruling on the late resolution and without debate, the ruling may be overridden by a two-thirds vote.
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70 • ***Emergency Resolutions***

71 Emergency resolutions are resolutions that do not qualify as “regular” or “late” resolutions. They are
72 limited to substantive issues that because of their acute nature could not have been anticipated prior to the
73 annual meeting or resolutions of commendation that become appropriate during the course of the Council
74 meeting. Resolutions not meeting these criteria may be ruled out of order by the speaker. Should this ruling be
75 appealed, the speaker will state the reason(s) for ruling the emergency resolution out of order and without
76 debate, the ruling may only be overridden by a two-thirds vote. ***See also Appeals of Decisions from the***
77 ***Chair.***

78 Emergency resolutions must be submitted in writing, signed by at least two members, and presented to
79 the Council secretary. The author of the resolution, when recognized by the chair, may give a one-minute
80 summary of the emergency resolution to enable the Council to determine its merits. Without debate, a simple
81 majority vote of the councillors present and voting is required to accept the emergency resolution for floor
82 debate and action. If an emergency resolution is introduced prior to the beginning of the Reference Committee
83 hearings, it shall upon acceptance by the Council be referred to the appropriate Reference Committee, **except**
84 **for commendation and memorial resolutions**. If an emergency resolution is introduced and accepted after
85 the Reference Committee hearings, the resolution shall be debated on the floor of the Council at a time chosen
86 by the speaker.

Background

This resolution amends the Council Standing Rules to codify that commendation and memorial resolutions are not assigned to a Reference Committee for deliberation and recommendation to the Council.

Traditionally, since 2004, commendation and memorial resolutions, whether submitted by the deadline, or as late or emergency resolutions, are not assigned to a Reference Committee for discussion. The Council Standing Rules (CSR) currently specify that resolutions submitted by the deadline, will have background information prepared, including a financial analysis, and will be assigned to a Reference Committee for deliberation and recommendation to the Council. Late and emergency resolutions, if accepted by the Council, do not have background information prepared, but are assigned to a Reference Committee.

Prior to 2004, commendation and memorial resolutions were assigned to a Reference Committee. The resolutions rarely, if ever, received any testimony and all were adopted by the Council. Background information was not prepared on commendation and memorial resolutions and has not been prepared on these resolutions since 2004. All memorial resolutions are adopted by the Council observing a moment of silence on the first day of the Council meeting; all commendation resolutions are adopted by acclamation during the Council Awards Luncheon on the second day of the Council meeting.

The Steering Committee discussed commendation and memorial resolutions at their meetings in January and April 2020 and determined that a CSR amendment should be submitted to the 2020 Council. ACEP's parliamentarian has not advised that any changes are needed in the CSR to reflect this traditional practice, however, he has not advised against it either. There have not been any questions or complaints from the Council since commendation and memorial resolutions were removed from Reference Committee deliberation beginning in 2004.

ACEP Strategic Plan Reference

None

Fiscal Impact

Budgeted staff resources to update the Council Standing Rules.

Prior Council Action

None specific to commendation and memorial resolutions in the Council Standing Rules.

Prior Board Action

Not applicable – the Board does not take action on Council Standing Rules resolutions.

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