

PROCEDURES OF THE HOUSE OF DELEGATES FOR DELEGATES TO THE MEDICAL ASSOCIATION OF GEORGIA

INTRODUCTION

The Medical Association of Georgia House of Delegates is the legislative body of our Association responsible for setting its policies. With the exception of the time during the War Between the States, our House of Delegates has met every year since 1849.

The House is a democratic institution. All county component medical societies in Georgia are entitled to representation in our House. Small societies (5 to 49 members) are entitled to one delegate. Larger societies (50 members or more) are entitled to one Delegate for every 25 active members. Additional delegates represent our several House Sections and Specialty Societies, so that our House consists of over two hundred voting delegates.

The House has two main functions: (1) to elect the Association's officers for the coming year; and (2) to debate and vote on the various resolutions, reports and recommendations submitted to it. MAG officers, MAG committees, county societies (either through their officers or their Delegates to the MAG House), and specialties may submit resolutions, reports and recommendations.

Each year, the House of Delegates considers some 50 to 60 items of business. To expedite matters, each resolution or recommendation is assigned by the House Speaker to a REFERENCE COMMITTEE, composed of six to ten delegates. During the House, Reference Committees hold hearings so that any member of MAG (delegate or not) may express his or her opinion on the resolutions and recommendations. After testimony is heard, each Reference Committee evaluates all the opinions given, and drafts a report to the House recommending courses of action on the resolutions and recommendations. In so doing, the House sets MAG's policy. Therefore, our House of Delegates meeting consists of a mix of representative democracy (through county and specialty society delegates) and direct democracy (through individual member's right to speak at Reference Committees). As with all democratic bodies, our House depends on the individual's expression of opinion.

The MAG House of Delegates exists to give you a means to express your ideas and an opportunity to implement those ideas into action by creating policy regarding the practice of medicine in our state.

ABOUT OUR PROCEDURES

Tradition governs a substantial portion of each formal session of the House of Delegates. Addresses by the President and President – Elect, remarks by the Speaker, recognition of distinguished guests, presentation and acceptance of awards, installation of officers, and the like, are done in this way. It is the prerogative of the Speaker to permit many of these niceties as he/she may feel to be appropriate without unduly intruding upon the time necessary for the House to accomplish its assigned business. In general, such items are scheduled in advance and are published in the Order of Business. Unscheduled presentations may be arranged, either with the Speaker, or by a request to hear them by unanimous consent of the House.

The House of Delegates of the Medical Association of Georgia transacts its business according to the American Institute of Parliamentarians Standard Code of Parliamentary Procedure by the American Institute of Parliamentarians. Parliamentary procedure serves to aid the House in the orderly, expeditious and equitable accomplishment of its desires. The majority opinion of the House, in determining what it wants to do and how it wants to do it, should always remain the ultimate determinant, yet the right of the minority must never be overlooked. It is the obligation of the Speaker to sense this will of the House to preside accordingly, and to hold his/her rulings ever subject to challenge from and reversal by the House.

INTRODUCTION OF BUSINESS

Business resolutions are brought by voting delegates, county societies, specialty societies or five active MAG members, and by recommendations from MAG Officers and Committee Chairman as part of their annual reports.

The essential element of a resolution is expressed in one or more “RESOLVE” clauses setting forth the author’s specific intent for action. The resolution may carry (a) prefatory statement (s) explaining the rationale of the resolution. These are usually written as a series of “WHEREAS” statements that appear before the “RESOLVE” clauses. There may also be included appendices of materials, which attempt to contribute to the understanding of the topic of the resolution.

In adopting a resolution, the House of Delegates formally adopts only the “RESOLVE” section(s) of the resolution. Consequently, the author’s specific intent for action must be stated fully and completely in the “RESOLVE” clauses(s). To say it another way, the “RESOLVE” clause(s) must be able to convey all concepts for action or policy when read alone. It is unnecessary to amend the language of the “WHEREAS” portions of a resolution since the House will only act on the “RESOLVE” portions as the official item of business. The ultimate question before the House is how to dispose of a specific “RESOLVE”.

REFERENCE COMMITTEE HEARINGS

Except under special circumstances, all resolutions and reports containing recommendations are referred to a Reference Committee so that hearings may be on their contents.

Reference Committees are groups of six to ten delegates selected by the Speaker to conduct open hearings on matters of business before the House. The items are usually divided up into groups containing similar topics. For instance, one Reference Committee may hear resolutions and recommendations pertaining to Legislative issues, another will hear resolutions and recommendations pertaining to Public Health issues and so forth. Having heard discussion on the resolutions and recommendations before it, the Reference Committee compiles a report with recommendations to the House for the disposition of its items of business.

Reference Committee hearings are open to all members of the Association and invited guests. Any member of the Association is encouraged to speak on the resolution or recommendation under consideration. Other non-members, upon recognition by the chairman, may also be permitted to speak.

Fair hearings are the responsibility of the Reference Committee Chairman. The committee may establish its own rules on the presentation of testimony with respect to the order of testimony, the order of consideration, limitation of time, repetitive statements, recesses, and the like. Following the open hearing, a Reference Committee will go into Executive Session for deliberation and preparation of its report. It may call into Executive Session anyone whom it may wish to hear from or question further. The Reference Committee submits a unanimous report to the House of Delegates recommending a disposition for each of the items of business assigned to it. Minority reports from a Reference Committee may be issued in circumstances where the Reference Committee cannot come to consensus on the disposition of an item of business.

REFERENCE COMMITTEE REPORTS

Reference Committee reports comprise the bulk of the official business of the House of Delegates.

Reference Committees have wide latitude in their efforts to facilitate expression of the will of the House on matters before them and give credence to the testimony they hear. They may amend resolutions, consolidate similar resolutions by constructing substitutes, and recommend the parliamentary procedure for disposition of the business before them, such as acceptance, rejection, amendment, referral, and the like for specific item of business.

Specifically, the Reference Committee may make the following recommendations to the House of Delegates:

- a) adoption;
- b) adoption as amended, with amendments drafted and submitted by the Reference Committee;
- c) adoption by substitution, with a substitute resolution drafted and submitted by the Reference Committee;
- d) not for adoption;
- e) to be filed;
- f) referral to Board of Directors/Executive Committee or other Committee

Reference Committee reports will be made available to Reference Committee members and delegates as soon as they are completed. The first reports should be available at the MAG Registration desk on the day of the second MAG House Session.

NOTE: During the reading of Reference Committee reports, the Speaker of the House urges delegates to refer to their Handbooks, following the specific resolution or recommendation under discussion. Reference Committee Report recommendations are just that, recommendations only, and do not become MAG policy until acted on by the House of Delegates. A Reference Committee recommendation is to be considered the main motion before the House and must be dealt with as such.

PARLIAMENTARY PROCEDURE ON THE HOUSE

It is imperative in an assembly of over 200 Delegates that each individual speaking to an issue be recognized by the Speaker, be at a microphone, and be properly identified for the information of those who transcribe the proceedings. In the absence of specific provisions to the contrary in the Bylaws of the Association or in this manual of "Procedures of the House of Delegates," the House shall be governed by the American Institute of Parliamentarians Standard Code of Parliamentary Procedure by the American Institute of Parliamentarians. The following is based upon the aforementioned text.

CLASSIFICATION OF MOTIONS

Business is brought before the House, and acted upon, by the motions of Delegates. A motion is the formal statement of a proposal or question to the House for consideration and action.

Motions are classified into five groups: A) main motions; B) specific main motions; C) subsidiary motions; D) privileged motions; and E) incidental motions.

MAIN MOTIONS

Main motions are the most important and most frequently used. Their purpose is to bring substantive proposals before the House for consideration and action.

A main motion (or “question”) is presented for discussion by the following steps:

1. The Delegate rises and addresses the Speaker;
2. The Delegates is recognized by the Speaker;
3. The Delegates identifies himself/herself and their local society. The delegate then indicates if they are speaking on behalf of their society or as an individual, and identifies any potential conflict of interest he/she may have on the issues at hand.
4. The delegate proposes (“makes”) his/her motion;
5. Another Delegate seconds it;
6. The Speaker states the motion to the House.

Once a main motion has been brought before the House through the steps above, it is usually considered in the following way:

7. Delegates debate the motion;
8. The Speaker puts the question to a vote;
9. The Speaker announces the result of the vote.

SPECIFIC MAIN MOTIONS

Restorative Main Motions do not present a new proposal but concern actions that were previously taken. The five main motions have specific names:

- a) Amend a Previous Action - to amend a main motion that was approved previously.
- b) Adopt in-lieu-of – to introduce a main motion with the intent that its adoption will also dispose of one or more other main motions that are known to be coming before the assembly.
- c) Ratify - to confirm and thereby validate an action that was taken in an emergency, or where a quorum was not present.
- d) Recall from Committee – to enable an assembly to remove a motion or subject from a committee or board and present it before the assembly for consideration.
- e) Reconsider – to enable the House to set aside an earlier vote on a main motion, and to consider it again as though no vote had been taken on it.
- f) Rescind – to repeal or nullify a main motion previously passed.

SUBSIDIARY MOTIONS

Subsidiary motions alter the main motion, or delay or hasten its consideration. They are:

- a) Table – used to set aside a pending main motion, which can be taken up for further consideration at any time during the same meeting.
- b) Close Debate – used to close discussion on the pending question or questions and to bring the pending question or questions to an immediate vote.
- c) Limit or Extend Debate – used to determine the time that will be devoted to the discussion of a pending motion or the time each speaker may discuss the motion or remove limitations already imposed on its discussion.
- d) Postpone to a Certain Time – used to delay further consideration of a pending main motion and to fix a definite time for its consideration.

- e) Refer to Committee – used to transfer to another body of the organization (such as a committee, council, task force, or Board of Directors) the opportunity and responsibility of studying the proposal and reporting back to the House with recommendations. It can also be to conserve the time of the House by delegating the duty of deciding a proposal and sometimes of carrying out the decision to a smaller group.
- f) Amend – used to change a motion that is being considered by the House so that it expresses, as closely as possible, exactly the will of the members.

PRIVILEGED MOTIONS

Privileged motions have no direct connection with the main motion before the House. They are motions of such urgency that they are entitled to immediate consideration. They relate to the members and to the organization rather than to particular items of business. Privilege motions would be main motions but for their urgency. Because of their urgency, they are given the privilege of being considered ahead of other motions that are before the House. Therefore, the following are privileged motions:

- a) Adjourn – when no other motion is pending, the motion to adjourn is a main motion and is open to discussion and amendment. When a main motion is pending, however, the motion to adjourn becomes a privileged motion and outranks all other motions. If adopted, the privileged motion to adjourn requires that adjournment take place immediately. The privilege motion to adjourn cannot be debated but may be amended to establish the time when the interrupted meeting may continue.
- b) Recess – used to provide an interlude in meeting. The length of the recess or the establishment of a definite time for resuming deliberations should be set.
- c) Question of Privilege - to enable a member to secure immediate decision and action by the presiding officer on a request that concerns the comfort, convenience, rights or privileges of the assembly or of the member, or permission to present a motion of an urgent nature, even though other business is pending.

INCIDENTAL MOTIONS

Incidental Motions arise incidentally out of the business before the House. They do not relate directly to the main motion, but usually relate to matters incidental to the conduct of the meetings. Incidental motions may be offered whenever they are needed, and have no order of preference. Because of their very nature they may interrupt business and in some cases may interrupt the Speaker, and should be handled as soon as they arise.

Incidental Motions include:

- a) Appeal – used to subject the ruling of the Speaker to examination by the House. Any member, suspecting that the Speaker has been mistaken or unfair in the ruling, may appeal that ruling of the House. The Speaker explains the reason for the ruling and allows the member to state his or her reasons for the appeal. After discussion by the members, the vote is taken, not on the appeal, but on sustaining the decision of the Speaker.
- b) Suspended Rules – used to allow the House to take an action, which would otherwise be prevented by a procedural rule or by a program already adopted. A suspension of the rules makes temporarily ineffective whatever obstacle which otherwise would prevent the House from achieving its will. The effect of suspending the rules ends when that action is completed.
- c) Consider Informally – used to allow the House to discuss an issue without the restrictions of parliamentary rules. It can be used if no motion is pending in the hope that unrestricted discussion will forge a consensus supporting the substance and the language of the motion that evolves. It also can be used even though a motion is under consideration. The pending motion is considered informally until the members decide to vote on it. This vote terminates the informal consideration.
- d) Point of Order – used to get the Speaker's and the House's attention to the possibility that a violation of the rules, an omission or an error in the proceedings has occurred and to seek a ruling from the Speaker. A point of order must be raised immediately after the possible error or omission occurs. As soon as the Speaker has made a ruling on the point of order, the

business of the House resumes at the point at which it was interrupted.

- e) Inquiries – used to acquire the Speaker’s opinion on a matter of parliamentary procedures as it relates to the business under discussion. It does not involve a ruling of the chair. Parliamentary inquiry can also be used to ask the Speaker or the maker of a motion a clarifying question about the pending motion. The request for a parliamentary inquiry may interrupt a speaker only when it requires an immediate answer. A parliamentary inquiry should always be addressed to the Speaker and answered by the Speaker. The Speaker may consult with anyone he or she wishes before answering the inquiry. A member who is interrupted by parliamentary inquiry, once the inquiry is resolved, retains the floor and continues his or her debate. The privilege of parliamentary inquiry should never be used or allowed as a means of delaying the proceedings or harassing a member.

- f) Withdraw Motion – used to allow a member to remove from consideration of the House a motion, which, he or she has proposed. If the Speaker has not stated the motion to the House, permission to withdraw is not necessary.

- g) Division of Question – used to divide a motion that is composed of two more independent parts into individual motions that may be considered and voted on separately. If the Speaker agrees that the motion contains at least two propositions, each of which can stand alone as a reasonable motion and each suitable for adoption should the other portion fail, he or she may grant this request.

- h) Call for Division of Assembly – to verify an indecisive voice or hand vote by requiring voters to rise and, if necessary, to be counted. Any member concerned about the vote may call for a decision as soon as the motion is put to a vote and even before the vote has been announced. Just like any other mandatory requests, division of the assembly should not be used to delay the proceedings or to harass a member.

RULES GOVERNING MOTION AND REQUESTS

Many rules affect when a motion may be introduced, whether it must be seconded, whether it is debatable or amendable and what type of vote it requires for passage. Following is a summary of these rules, taken from to the American Institute of Parliamentarians Standard Code of Parliamentary Procedure by the American Institute of Parliamentarians.

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